

It is expected that a Quorum of the Personnel Committee, Administration Committee, and Common Council will be attending this meeting: (Although it is not expected that any official action of any of those bodies will be taken)

CITY OF MENASHA
Board of Public Works
Third Floor Council Chambers, 140 Main Street, Menasha
May 7, 2007

6:00 PM

AGENDA

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I. CALL TO ORDER

A. -

II. ROLL CALL/EXCUSED ABSENCES

A. -

III. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE

Minutes to approve:

A. Board of Public Works, 4/17/07

[Attachments](#)

B. New Board of Public Works, 4/17/07

[Attachments](#)

IV. DISCUSSION

A. O-8-07 - An Ordinance Relating to City of Menasha Sidwalk Policy

[Attachments](#)

B. Payment - Cover-All of Wisconsin, LLC; Road Salt Storage Facility; Contract Unit No. 2006-09; \$16,658.26 (Payment No. 3 & Final)

[Attachments](#)

C. Approval of Relocation Order for WisDOT Third Street (STH 114) Reconstruction Project

[Attachments](#)

D. Authorization to Enter into Agreement for Real Estate Services for Third Street Reconstruction Project with OMNNI Associates in the amount of \$5,300

[Attachments](#)

E. Request for Calumet County Participation in Seeking Improvements at the intersection of Manitowoc Road and Lake Park Road (CTH LP) (Ald. Taylor)

[Attachments](#)

V. ADJOURNMENT

A. -

Menasha is committed to its diverse population. Our Non-English speaking population or those with disabilities are invited to contact the Clerk's Office at 967-3600 at least 24-hours in advance of the meeting so special accommodations can be made.

CITY OF MENASHA
Board of Public Works
Third Floor Council Chambers, 140 Main Street, Menasha
April 17, 2007

MINUTES DRAFT

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I. CALL TO ORDER

A. :

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
	Meeting called to order by Chairman Taylor at 6:57p.m.			

II. ROLL CALL/EXCUSED ABSENCES

A. :

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
	PRESENT: Ald. Chase, Merkes, Taylor, Wisneski, Pack, Hendricks, Eckstein, Michalkiewicz.			
	ALSO PRESENT: Mayor Laux, CA/HRD Brandt, PC Stanke, DPW Radtke, CDD Keil, C/T Stoffel, PRD Tungate, PHD Nett, Clerk Galeazzi and the Press.			

III. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE

A. [April 2, 2007](#)

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Approve	Board of Public Works Minutes, 4/2/07	Alderman Pack	Alderman Eckstein	Passed
	Motion carried on voice vote.			

IV. DISCUSSION

A. [Fox Cities Marathon; Sunday, September 23, 2007; 6:00 AM - 3:00 PM; Community First Credit Union \(Held 4-2-07\)](#)

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
	Discussion ensued on the change in the route is a concern as it will have an impact on the Police Dept. budget and staff. The Police Dept's budget was set using the old route of the marathon. That would require only 2 hours of coverage. The new route could require up to 6 hours of coverage. The Police Dept. will be utilizing the services of the Auxiliary and CSO in addition to their regular staff. Shutting down the Racine Street			

bridge is also a concern. Harbormaster Schabach indicated she has no problem with closing the bridge to boat traffic. She will notify the boaters early in the boating season so they are aware of the event.

B. [Change Order -- CD Smith Construction, Inc. Water Treatment Plant Modifications; Contract Unit No. M002-940266.02; DEDUCT: \\$120,627.00 \(Change Order No. 5a\)](#)

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
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	No questions or discussion.			
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C. [Payment - Cover-All of Wisconsin, LLC; Road Salt Storage Facility; Contract Unit No. 2006-09; \\$50,700.00 \(Payment No. 2\)](#)

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
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	DPW Radtke explained the first payment for the Salt Shed was when the order was placed. The company required a down payment. The street crew will be black topping the area round the salt shed. Comptroller Stoffel indicated there are sufficient funds borrowed for all the work.			
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D. [Approval of 2007 City of Menasha Minimum Wage Rates](#)

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
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	No question.			
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E. [Consideration of Traffic Study at the Intersection of Lake Park Road \(CTH LP\) and Manitowoc Road \(Ald. Taylor\)](#)

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
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	DPW Radtke explained traffic studies have been done on this intersection in the past by Calumet County and City of Appleton. Their studies indicated that no change to the intersection was warranted. The majority of the intersection is located in the Town of Harrison. The City of Menasha has installed a blinking stop sign at the southwest corner of the intersection which is the only quadrant located in the City. Discussion ensued regarding the possible use of WisDOT Safety Program funds.			
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V. ADJOURNMENT

A. -

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
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Move	to adjourn at 7:30p.m	Alderman Merkes	Alderman Pack	Passed
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Motion carried on voice vote.				
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Respectfully submitted by Deborah A. Galeazzi, City Clerk				
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CITY OF MENASHA
Board of Public Works
Council Chambers, 3rd Floor- 140 Main St., Menasha
 April 17, 2007

MINUTES DRAFT

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I. ROLL CALL/EXCUSED ABSENCES

A. [Roll Call](#)

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
	Meeting called to order by DPW Radtke at 8:59p.m.			
	PRESENT: Ald. Merkes, Taylor, Wisneski, Pack, Hendricks, Eckstein, Michalkiewicz, Chase.			
	ALSO PRESENT: Mayor Laux, CA/HRD Brandt, PC Stanke, DPW Radtke, CDD Keil, C/T Stoffel, PRD Tungate, PHD Nett, Clerk Galeazzi and the Press.			

II. ACTION ITEMS

A. [Election of Chair](#)

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Move	to appoint Ald. Taylor as Chairman of Board of Public Works	Alderman Hendricks	Alderman Merkes	
Move	to appoint Ald. Pack as Chairman of Board of Public Works	Alderman Eckstein	Alderman Michalkiewicz	Passed
	Having no more nominations, DPW Radtke called the nominations to a closed.			
	Motion carried on roll call 5-3 for Ald. Pack. Voting for Pack: Wisneski, Pack, Eckstein, Michalkiewicz, Chase. Voting for Taylor: Merkes, Taylor, Hendricks. Ald. Pack was declared the winner and Chairman of Board of Public Works.			

B. [Election of Vice-Chair](#)

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
	Chairman Pack took over.			
Move	to appoint Ald. Taylor as Vice-Chairman for Board of Public Works	Alderman Hendricks	Alderman Eckstein	Passed
	Having no more nominations Chairman Pack called the nominations to a close and directed the Clerk to cast a unanimous ballot declaring Ald. Taylor Vice-Chairman of Board of Public Works.			

III. ADJOURNMENT

A. [Adjournment](#)

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
Move	to adjourn at 9:04p.m.	Alderman Merkes	Alderman Hendricks	Passed
Motion carried on voice vote.				
Respectfully submitted by Deborah A. Galeazzi, City Clerk				



City of Menasha • Office of the City Attorney
Jeffrey S. Brandt, City Attorney

MEMO

TO: Common Council
Plan Commission
Mayor Laux
Department Heads

FROM: Jeff Brandt JSB

SUBJECT: City of Menasha Sidewalk Policy

DATE: May 1, 2007

At the Common Council meeting of April 17, 2007, there was confusion as to the Ordinance covering the City of Menasha Sidewalk Policy. I have had an opportunity to investigate the history of the current ordinance.

I enclose section 6 – 2 – 2 (h) which was the sidewalk policy when the code was adopted to be effective July 21, 1989. Next you will find Ordinance O – 24 – 89 that was adopted on September 19, 1989. O – 24 – 89 was drafted by former City Attorney Richard Steffens. Next, you will find sec. 6 -2 – 2 (h) as it appears in the City Code that I maintain along with the Clerk and as is shown on the City website. I was appointed City Attorney as of July 20, 1990.

On or about December 20, 1994, I attempted to fold O – 24 – 89 into sec. 6 – 2 -2 (h). As you can see from O – 24 – 89, there is no mention that sec. 6 – 2 – 2 (h) was being repealed. I assumed that it was not repealed and that O -24 – 89 was additional requirements as determined by the Common Council at that time. In discussing this with Mayor Laux and PWD Radtke, it is their impression that the Common Council did intend to repeal sec. 6 – 2 – 2 and replace it with O – 24 -89.

Last, you will find O – 8 – 07 which is intended to fix the “problem” as to whether the 1989 Common Council intended to repeal the previous 6 – 2 – 2 when it adopted O – 24 -89. There are two additional current changes requested by the Mayor to meet the ambiguities raised at the April 17, 2007 Council meeting. Those appear in bold face type at sec. (h) (2) and (i) (1) e.

ORDINANCE O - 8 - 07

AN ORDINANCE RELATING TO CITY OF MENASHA SIDEWALK POLICY

Introduced by Mayor Laux

The Common Council of the City of Menasha does ordain as follows:

SECTION 1: Sec. 6 – 2 – 2 is repealed and recreated to read as flows:

h) ~~**SIDEWALK CONSTRUCTION REQUIRED. SIDEWALK POLICY – EXISTING DEVELOPMENT.**~~

~~(1) **When Fifty Percent (50%) of Each Side of the Block Improved or Developed.** Whenever the owner of fifty percent (50%) of the lineal feet of property on any side of any individual block have had improvements constructed thereon, the Common Council shall order as soon as feasible sidewalks to be built to serve abutting property owners. The Common Council reserves the right to order sidewalk construction in certain areas of the City, where sides of blocks are not fifty percent (50%) completed, and where the Board of Public Works finds a need not limited to the safety factor above.~~

~~(2) **When Two thirds (2/3) of Block Completed.** The owner of any property in the City of Menasha shall cause a walk to be constructed adjacent thereto in conformity with the provisions of this Section in the event the City block upon which the property abuts has sidewalks constructed thereon over more than two thirds (2/3) of the length of said block.~~

(1) Sidewalks shall be mandatory on both sides of all arterial and collector streets as listed in the "State Mileage Certification Report." Installation shall take place at the time the streets are constructed to urban sections (curb and gutter, storm sewer, etc.).

(2) Sidewalks shall be mandatory on streets where the ~~net~~ **total density (including dedicated right-of-way)** on the abutting properties is greater than 3.5 units per acre and average daily traffic is greater than 500 vehicles per day.

(3) Sidewalks shall be mandatory on any side of an individual block when 50% or more of the length of said block has sidewalk constructed thereon.

(4) The minimum vehicle volume warrant for installation of sidewalk shall be 500 cars per day.

(5) Nothing in the above provisions providing for the installation of sidewalks in the existing development shall prevent the Board of Public Works from requesting sidewalk construction if traffic engineering or any combination of pedestrian counts and traffic volumes demonstrate a hazardous condition which would warrant sidewalk installation.

(i) **SIDEWALK INSTALLATIONS IN THE NEWLY PLATTED SUBDIVISIONS**

- (1) Sidewalks shall be mandatory on both sides of the street on all plats submitted for approval to the Plan Commission. Exceptions may be granted only in the following instances:
- a. ~~The owner of property subject to the provisions of subsections (h)(1) and (2) shall have the right to petition the Common Council for a variance or exceptions from the terms of said provisions.~~
 - a. Industrial and commercial subdivisions;
 - b. In residential cul-de-sac streets (less than 500 feet in length) and other streets of limited continuity where the density of development is less than 6 units per acre.
 - c. Neighborhood residential streets where topography, trees, insufficient right-of-way, or other unique circumstances make placement of walks on one or both sides of the street impractical and where the absence of such walks will not substantially interrupt pedestrian flow within the block or to parks, schools, or other major pedestrian attractors.
 - d. Where there is a dedication of a pedestrian right-of-way or other alternate means of pedestrian circulation.
 - e. On neighborhood residential streets, ~~upon request of the subdivider~~, where proposed **net total density (including dedicated right-of-way)** is less than 3.5 units per acre and average daily traffic would not be such to cause sidewalk installation based on traffic engineering warrants.
 - f. Nothing in this ordinance prohibits the installation of sidewalks upon request of the adjoining property owners.

SECTION 2: This ordinance shall become effective upon its passage and publication as provided by law.

Passed and approved this _____ day of _____, 2007.

Joseph F. Laux, Mayor

ATTEST:

Deborah A. Galeazzi, City Clerk

- are so set the construction of such walk, except the excavation therefor, shall not be commenced.
- (3) Lights and Barriers. Any person who shall construct or cause to be constructed any concrete sidewalks, including all contractors performing or supervising such construction, shall cause sufficient barriers to be erected and maintained during the period of construction, and a red light at each end of the sidewalk to be placed and kept burning during each night of such period to the satisfaction of the Board of Public Works.
- (g) Damage to Sidewalk.
- (1) No person shall, without authority in writing from the Director of Public Works, interfere with, alter the position or level of, remove or destroy any line or grade stakes set by the Director of Public Works.
 - (2) No person shall injure or tear up any side or crosswalk or shall injure or dig any holes, ditch, or drain in or across any street, highway, lane or alley without first having obtained the consent of the Common Council, violations shall be subject to a forfeiture hereinafter set forth in this Code.
 - (3) No person shall pass over or upon any cement sidewalk or crossing while the same is in the process of construction or until the same shall become thoroughly dry and hardened. Barriers shall be placed around new sidewalks by workers constructing the same to prevent persons from passing over or upon the sidewalk under construction. It shall be unlawful for any person or corporation to remove said barriers except those having lawful authority so to do.
 - (4) It shall be unlawful for the owner as well as any other person or corporation to at any time mark, mar, deface, injure, mutilate, destroy, print or paint any letters, names or characters whatsoever on any cement sidewalk or crossing now or hereafter to be built and constructed in the City of Menasha.
- (h) Sidewalk Construction Required.
- (1) When Fifty Percent (50%) of Each Side of the Block Improved or Developed. Whenever the owner of fifty percent (50%) of the lineal feet of property on any side of any individual block have had improvements constructed thereon, the Common Council shall order as soon as feasible sidewalks to be built to serve abutting property owners. The Common Council reserves the right to order sidewalk construction in certain areas of the City, where sides of blocks are not fifty percent (50%) completed, and where the Board of Public Works finds a need not limited to the safety factor above.
 - (2) When Two-thirds (2/3) of Block Completed. The owner of any property in the City of Menasha shall cause a walk to be constructed adjacent thereto in conformity with the provisions of this Section in the event the City block upon which the property abuts has sidewalks constructed thereon over more than two-thirds (2/3) of the length of said block.
 - (3) Exceptions. The owner of property subject to the provisions of Subsections (i)(1) and (2) shall have the right to petition the Common Council for a variance or exceptions from the terms of said provisions.
- (i) Unsafe Sidewalks. The Common Council may at any time, by ordinance or resolution, order any sidewalk which is unsafe, defective, or insufficient, to be removed and replaced with a sidewalk in accordance with the standard specifications provided for in this Section.
- (j) Illegal Sidewalks. No sidewalk which shall be constructed contrary to the provisions of this Section shall be considered a legal sidewalk and the same may be ordered to be replaced with a legal sidewalk and one which is in conformity

Alaska

ORDINANCE 0-24-89

AN ORDINANCE REVISING SIDEWALK POLICY FOR THE CITY OF MENASHA
Requested by the Board of Public Works

The Common Council of the City of Menasha does ordain as follows:

SECTION 1: SIDEWALK POLICY -- EXISTING DEVELOPMENT

A. Sidewalks Mandatory.

1. Sidewalks shall be mandatory on both sides of all arterial and collector streets as listed in the "State Mileage Certification Report." Installation shall take place at the time the streets are constructed to urban sections (curb and gutter, storm sewer, etc.).

2. Sidewalks shall be mandatory on streets where the net density on the abutting properties is greater than 3.5 units per acre and average daily traffic is greater than 500 vehicles per day.

3. Sidewalks shall ^{be} mandatory on any side of an individual block when 50% or more of the length of said block has sidewalk constructed thereon.

4. The minimum vehicle volume warrant for installation of sidewalk shall be 500 cars per day.

5. Nothing in the above provisions providing for the installation of sidewalks in the existing development shall prevent the Board of Public Works from requesting sidewalk construction if traffic engineering or any combination of pedestrian counts and traffic volumes demonstrate a hazardous condition which would warrant sidewalk installation.

SECTION 2: SIDEWALK INSTALLATIONS IN THE NEWLY PLATTED SUBDIVISIONS

A. Sidewalks Mandatory. Sidewalks shall be mandatory on both sides of the street on all plats submitted for approval to the Plan Commission. Exceptions may be granted only in the following instances.

- 1. Industrial and commercial subdivisions;

2. In residential cul-de-sac streets (less than 500 feet in length) and other streets of limited continuity where the density of development is less than 6 units per acre.

3. Neighborhood residential streets where topography, trees, insufficient right-of-way, or other unique circumstances make placement of walks on one or both sides of the street impractical and where the absence of such walks will not substantially interrupt pedestrian flow within the block or to parks, schools, or other major pedestrian attractors.

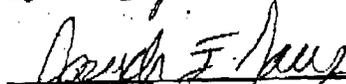
4. Where there is a dedication of a pedestrian right-of-way or other alternate means of pedestrian circulation.

5. On neighborhood residential streets, upon request of the subdivider, where proposed net density is less than 3.5 units per acre and average daily traffic would not be such to cause sidewalk installation based on traffic engineering warrants.

SECTION 3: Nothing in this ordinance prohibits the installation of sidewalks upon request of the adjoining property owners.

SECTION 4: This Ordinance shall become effective upon its passage and publication as provided by law.

Passed and approved this 19th day of Sept, 1989.


Joseph F. Laux, Mayor

ATTEST:


Raymond C. Zielinski, City Clerk

CERTIFICATE OF PAYMENT

DATE: May 1, 2007

PAYMENT REQUEST: 3 (Final)

CONTRACTOR: Cover-all of Wisconsin, LLC

ADDRESS: P.O. Box 35, Stratford, WI 54484-0035

CONTRACT UNIT NUMBER: 2006-09

PROJECT DESCRIPTION: Road Salt Storage Facility

ORIGINAL CONTRACT AMOUNT	\$ 126,743.00
CHANGE ORDER NO. _____ AMOUNT: \$ _____	
PREVIOUS CHANGE ORDER(S): \$ 3,986.76	
TOTAL CONTRACT AMOUNT (INCLUDING CHANGE ORDERS)	\$ 130,729.76
TOTAL EARNED TO DATE (SUMMARY ATTACHED)	\$ 130,729.76
LESS RETAINAGE	\$ 0
AMOUNT DUE	\$ 130,729.76
PREVIOUS PAYMENTS	\$ 114,071.50
AMOUNT DUE THIS PAYMENT	\$ 16,658.26

ESTIMATE PERIOD: FROM March 1, 2007 TO: April 30, 2007

I certify that all bills for labor, equipment, materials, and services are paid for which previous certificates for payment were issued.

DATE: _____ BY: _____

Lien Waivers from all subcontractors and suppliers shall accompany each Request for Payment. Affidavit of Compliance with Prevailing Wage Rates shall accompany Request for Final Payment.

RECOMMENDED FOR PAYMENT:
DIRECTOR OF PUBLIC WORKS: Mark Rattler DATE: 5-2-07

APPROVED FOR PAYMENT: COUNCIL APPROVAL DATE: _____

FINANCE DEPARTMENT

<u>ACCOUNT NUMBER</u>	<u>BUDGET</u>	<u>CHARGE TO ACCOUNT</u>
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____

Cover-All of Wisconsin, LLC

C4640 Hwy. 97
 P.O. Box 35
 Stratford, WI 54484-0035



Invoice

Bill To
 City of Menasha Dept. of Public Works
 Attn: Carol Schmidt
 140 Main St.
 Menasha, WI 54952

Date	Invoice #
4/27/2007	518

P.O. No.	Terms	Due Date	Rep
	Due Upon Receipt	4/27/2007	DLP

Quantity	Description	Unit Cost	Amount
	70' x 81' Meridian Cover-All Building per Contract Unit No. 2006-09	126,743.00	126,743.00
	Change Order #1 - optional 16' x 20' OH Door, optional Liftmaster door opener	3,575.76	3,575.76
	Change Order (dated 12/20/06) - Upgrade fabric from white to white with navy blue	411.00	411.00
	Less: Deposit on Contract (check 11400 dated 2/15/07)	-63,371.50	-63,371.50
	Less: Deposit on Contract (check 12158 dated 4/19/07)	-50,700.00	-50,700.00
SIGNATURE _____			
DATE _____			
ACCT. # _____	AMT \$ _____		
ACCT. # _____	AMT \$ _____		
ACCT. # _____	AMT \$ _____		
ACCT. # _____	AMT \$ _____		
ACCT. # _____	AMT \$ _____		

Subtotal	\$16,658.26
Sales Tax (5.5%)	\$0.00
Balance Due	\$16,658.26

Please remit payment to the address above. A finance charge of 1.5% per month will be added to all past due accounts.

Phone #	Fax #	E-mail	Web Site
715-687-2453	715-687-2331	kpeterson@coverallofwisconsin.com	www.coverallofwisconsin.com

RELOCATION ORDER

Wisconsin Department of Transportation
DT1708 2000 (Replaces RE3006)

Project 4065-13-21	Name of Road THIRD STREET (RACINE STREET – MANITOWOC STREET)	Highway STH 114	County WINNEBAGO
Right of Way Plat Date 03/16/07	Plat Sheet Numbers 4.1, 4.2, 4.3, 4.4, 4.5	Date of Previously Approved Relocation Order NONE	

Description of Termini of Project

Beginning 1279.31 feet south and 238.26 feet east of the west quarter corner of Section 14, Township 20 North, Range 17 East, in the City of Menasha, Winnebago County, Wisconsin; thence east along the reference line of Third Street within the right-of-way shown on the plat approximately 0.348 miles to a point 1292.32 feet south and 2076.50 feet east of the west quarter corner of said Section 14, Township 20 North, Range 17 East, in the City of Menasha and there terminating.

To properly establish, lay out, widen, enlarge, extend, construct, reconstruct, improve, or maintain a portion of the highway designated above, it is necessary to relocate or change and acquire certain lands or interests in lands as shown on the right of way plat for the above project.

To effect this change, pursuant to authority granted under Section 62.22, Wisconsin Statutes, the City of Menasha orders that:

1. The said highway is laid out and established to the lines and widths as shown on the plat.
2. The required lands or interests in lands as shown on the plat shall be acquired by the City of Menasha pursuant to the provisions of Section 62.22, Wisconsin Statutes.
3. This order supersedes and amends any previous order issued by the City of Menasha.

City Representative

(Date)



May 3, 2007

Board of Public Works
City of Menasha
Menasha, WI 54952

RE: Recommendation to Enter into Agreement for Real Estate Services for Third Street
Reconstruction Project

Members of the Board:

The Wisconsin Department of Transportation (WisDOT) has scheduled the Third Street (STH 114) reconstruction project for 2008. The project involves the reconstruction of Third Street from Tayco Street to Manitowoc Street/Plank Road. As part of this project, it is necessary for the City of Menasha to acquire additional street right of way from five parcels.

A Request for Proposals was submitted to seven firms who have had experience with WisDOT project acquisitions. Proposals were received from five of the firms. The RFP and proposals are included in the Board of Public Works packet. Following is a summary of the fee proposals from each firm:

OMNNI Associates	\$5,300
EarthTech	\$5,300
Martenson & Eisele, Inc.	\$8,750
G.J. Miesbauer & Associates	\$18,500
Moss & Associates	\$75/hour (no firm fee provided)

This project has a very tight schedule for right of way acquisition as the titles need to be secured by October 31, 2007. I contacted some of the listed references for both OMNNI and EarthTech to learn of past project experiences with these firms. One of the references is a city listed by both firms so particular attention was given to that reference. Based on the experiences of the contacted references, I recommend the City of Menasha enters into agreement for real estate services with OMNNI Associates per their proposal terms.

Sincerely,

Mark Radtke
Director of Public Works

M:\word\BPW memo re r-w acquire OMNNI 5-3-07.doc

REQUEST FOR PROPOSALS

Professional Services for Right of Way Acquisition
Third Street, City of Menasha
Tayco Street to Manitowoc Street
STH 114
Winnebago County

Project Description

The Wisconsin Department of Transportation (WisDOT) Green Bay NE Region will be reconstructing Third Street from Tayco Street to Manitowoc Street in the City of Menasha during the 2008 construction season. The proposed project consists of reconstructing the existing pavement, curb and gutter and sidewalks, and replacing the existing storm sewer. As part of this project, the City of Menasha is required to acquire 887 square feet of right of way from five parcels. In addition, Temporary Limited Easements (TLEs) need to be obtained for these five parcels, and a release of rights is needed from a utility.

Scope of Requested Services

The City of Menasha is responsible for completing the necessary right of way acquisitions and real estate interests for this project. The City is seeking proposals from firms to perform these necessary real estate services, all in conformance with WisDOT guidelines and applicable Wisconsin State Statutes.

Enclosed is a copy of the pre-final right of way plat and descriptions of the required interests for each involved parcel. All interests shall be acquired prior to the final PS&E date, which is November 1, 2007. Requested services include the following:

1. Perform negotiations for the acquisition of property for right of way purposes.
2. Provide associated Fee Titles to the City of Menasha.
3. Obtain TLEs from identified properties.
4. Secure a Release of Rights from Wisconsin Bell, Inc. d/b/a AT&T.
5. Coordinate all work with the City of Menasha.

It is anticipated the selected firm will perform sales studies in order to determine a price per parcel. Full appraisals may be necessary should the property owner decide not to sell based solely on the data from the sales study. Title searches have recently been reviewed by WisDOT's consultant and are available for your use upon request to the City.

All closing costs, recording fees and any necessary appraisal review costs will be the responsibility of the City of Menasha. The Scope of Services does not include any services necessary for condemnation processes.

Project Schedule

Following are dates of significance for this project:

Deadline for Submittal of Proposals.....	April 30, 2007
Common Council Expected Approval	May 7, 2007
Notice to Proceed (Project Start)	May 14, 2007
Project Completion (Delivery Deadline)	October 31, 2007

Proposal Requirements

The proposal shall clearly outline the services provided by the submitting firm. Services that are not included and any additional services should also be identified in the proposal. The submittal shall include a statement of qualifications which should include a history and brief description of similar projects completed by the firm. Key project team members shall be identified and a profile of their pertinent qualifications shall be included with the proposal. In addition, any compelling factors specially related to this project that should be considered by the City in its selection process may be explained in the qualifications statement.

The fee basis for all work shall be clearly stated, with either a Not to Exceed figure or fixed fee amount provided for all basic services outlined in the Scope of Services. Fees for any anticipated additional services shall be explained as clearly as possible to assist the City in its review of proposals. If those fees can not be clearly forecasted, the basis for establishing those fees shall be explained in the proposal.

The proposal shall be submitted to the office of the Director of Public Works at the following address:

City of Menasha
 Attn: Mark Radtke
 Director of Public Works
 140 Main Street
 Menasha, WI 54952

Proposals shall be submitted in a sealed envelope with "Third Street Right of Way Acquisition Services Proposal" clearly indicated on the outside of the envelope. **The deadline for submittal of proposals is 3:00 PM, Monday, April 30, 2007.**

The City will rank responding firms in accordance with its determination of which firm is most competent, compatible, and economically efficient to do the work. The firm deemed most qualified in those three areas combined will be recommended to the Common Council for approval as the selected firm.

The selected firm shall supply the City with a Certificate of Insurance meeting the City's requirements and naming the City as an additional insured. In addition, the selected firm shall provide a non-discrimination clause in the professional services agreement.

Please contact Mark Radtke at (920) 967-3611 if you have any questions.

April 30, 2007

Mr. Mark Radtke
Director of Public Works
City of Menasha
140 Main Street
Menasha, WI 54952

RE: Third Street Right of Way Acquisition

Dear Mark:

OMNI Associates is pleased to submit this letter for professional services for Right-of-Way (ROW) acquisition on the Third Street project.

We believe that continuity from design through ROW acquisition will enhance the success of this project. We have put together an experienced team to acquire the ROW and keep the project on track. Our team includes:

Project Manager: **Phil Ramlet, PE, OMNI Associates**
and Negotiator

Sales Study: **Mark Smith, Smith Appraisals**

Project Description

The Wisconsin Department of Transportation will be reconstructing Third Street during the 2008 season. The City of Menasha is required to acquire 887 square feet of right of way from 5 parcels, including Temporary Limited Easements, and a release of rights from a utility in order for the project to be constructed.

Scope of Services

- **Perform an Appraisal and Sales Study.** We anticipate that all 5 parcels will be purchased as "nominal" parcels (i.e. the cost of each parcel is less than \$10,000). To purchase these parcels, a sales study will be performed and a price per parcel determined. If the property owner decides that they will not sell based on the data supplied in the Sales Study, a full appraisal must be completed.
- **Review and Confirmation.** We propose to have the City Assessor from Menasha review the sales study and confirm the proposed pricing structure.
- **Prepare Warranty Deeds, Easements, and Release of Rights.**
- **Negotiation.** The role of the negotiator is to try to facilitate a deal that is fair to the property owner and acquiring agency. The Negotiator is responsible to make sure the process is documented and complies with Chapter 32 of the Wisconsin Statutes.

*Mr. Mark Radtke, DPW
City of Menasha
Page 2*

Fees

Sales study	\$2,500.00
Document Preparation and Negotiation Services	<u>\$2,800.00</u>
Project Total	\$5,300.00

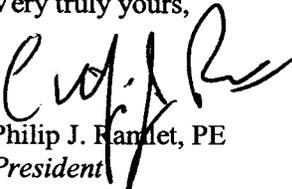
Items not Included

- Full appraisals on each parcel
- Any services necessary for condemnation
- Closing costs and recording fees

I have provided experience and a resume for your review. If you have any questions or if you would like additional information, please contact me at 920-735-6900 or through the email provided.

Thank you for considering OMNNI Associates as your real estate acquisition consultant.

Very truly yours,


Philip J. Radtke, PE
President

Philip J. Ramlet, P.E.
President, Principal-In-Charge

EDUCATION

B.S., 1982
Civil and Environmental
Engineering, University
of Wisconsin-Madison

**PROFESSIONAL
REGISTRATION**

Professional Engineer,
1986, Wisconsin –
#E-24845

**PROFESSIONAL
MEMBERSHIPS**

Chairman,
Real Estate Foundation
Fox Cities Community
Foundation

Chairman,
Appleton Riverfront
Action Committee
2003

Member,
Appleton
Redevelopment
Authority, 1999-2001

Board of Directors
Fox Cities Chamber of
Commerce, 1995-2001
Chairman of the Board,
2000

Past President
Wisconsin Association
of Consulting Engineers
7/97 – 6/98

EXPERIENCE

Mr. Ramlet serves as President of OMNNI. He has served as a project manager, inspector, resident engineer, and construction manager on both public and private sector projects. He is thoroughly experienced in the design and construction of utility systems, transportation facilities and water resource structures. He is experienced in real estate negotiations including acquisitions and easement procurement. Project experience includes:

City of Appleton, East College Avenue. Currently serving as Negotiator for an urban reconstruction project requiring 80 acquisitions, including five relocations. Responsibilities include negotiation with property owners, coordination with subconsultants, city staff and LPA representatives. All acquisitions comply with Chapter 32 of the Wisconsin State Statutes.

City of Appleton, West College Avenue. Served as Negotiator for an urban reconstruction project requiring 10 acquisitions, 37 Temporary Limited Easements, 1 Conveyance of Rights and 21 construction permits. Responsibilities include negotiation with property owners, coordination with appraisal subconsultant, city staff and LPA representatives. Held a “Blitz Meeting” for properties requiring TLEs. All acquisitions comply with Chapter 32 of the Wisconsin State Statutes.

Town of Grand Chute, Fox River Mall Trail. Served as Negotiator for a pedestrian trail in the Fox River Mall vicinity. Project required 1 acquisition, 4 Temporary Limited Easements, 4 Permanent Limited Easements and 1 Conveyance of Rights. Responsibilities included negotiation with property owners and coordination with Town and LPA representative. Negotiations were challenging because the Town asked the property owners to donate all PLE and TLEs. All acquisitions comply with Chapter 32 of Wisconsin State Statutes.

WisDOT, Bureau of Aeronautics, 11 Avigation Easements at Shawano Municipal Airport. Served as Negotiator for a Runway Relocation project requiring 11 Avigation Easements. Responsibilities included negotiation with property owners, and coordination with appraisal consultants, title company, city staff and BOA personnel. All acquisitions comply with Chapter 32 of the Wisconsin State Statutes.

Columbia County, Boelte Road and CTH K Bridges. Served as Negotiator for bridge projects requiring one acquisition and 2 Temporary Limited Easements. Responsibilities included negotiations with property owners, coordination with appraisal consultant, county highway commissioner, and LPA representatives. All acquisitions complied with Chapter 32 of the Wisconsin State Statutes.

PROFESSIONAL MEMBERSHIPS Cont.

Member
American Society of Civil Engineers

Member
National Society of Professional Engineers

Board Member
Transportation Development Association

Past Project Experience:

Black Wolf Sanitary District, Winnebago and Fond du Lac Counties, Wisconsin. Project manager for 100,000 l.f. of sanitary sewer installation in Winnebago and Fond du Lac counties. Real estate responsibilities included negotiating over 500 easements through private property and twelve property acquisitions for lift station installations. All acquisitions were performed as dictated by Chapter 32 of the Wisconsin State statutes. Property was acquired from a varied group of people ranging from farmers to owners of expensive lakefront property. By using a positive negotiation strategy and campaign, all easements and acquisitions for this controversial project were completed in eight months.

Outagamie County Regional Airport, Appleton, Wisconsin. Assisted the airport director in acquiring four properties adjacent to the airport. The acquisitions were performed as dictated by Chapter 32 of the Wisconsin State statutes. Responsibilities included meeting with the property owners and explaining the upcoming projects and coordination with the appraisers.

CONTINUING EDUCATION – REAL ESTATE

June 29-30, 2004	Principles of Real Estate Appraisal IRWA Course 400
May 19, 2004	LPA Training WisDOT District 3

AFFILIATIONS/AWARDS

- 1996 Wisconsin Council on Aeronautics Airport Engineering Award
- 1995 Fox Cities Chamber of Commerce Small Business Person of the Year
- 1993 Excellence Award - Boy Scouts
- Appleton Baseball Club, Inc. - Vice President
- Memorial Park Arboretum & Garden, Board Member
- Appleton YMCA, Board Member

Right-of-Way Experience and References

Client: City of Appleton
Contract Date: 2004-2005

Work Performed:

College Avenue, Project ID #4659-06-21

Negotiator for an urban reconstruction project requiring 10 acquisitions, 37 Temporary Limited Easements, 1 Conveyance of Rights and 21 construction permits. Responsibilities include negotiation with property owners, coordination with appraisal subconsultant, city staff and LPA representatives. Held a "Blitz Meeting" for properties requiring TLEs. All acquisitions comply with Chapter 32 of the Wisconsin State Statutes.

Contact: *Paula Vandehey, P.E., DPW, City of Appleton*
(920) 830-6482
2

Client: Town of Grand Chute
Contract Date: 2004-2005

Work Performed:

Fox River Mall Trail, Project ID # 1130-24-71

Negotiator for a pedestrian trail in the Fox River Mall vicinity. Project required 1 acquisition, 4 Temporary Limited Easements, 4 Permanent Limited Easements and 1 Conveyance of Rights. Responsibilities included negotiation with property owners and coordination with Town and LPA representative. Negotiations were challenging because the Town asked the property owners to donate all PLE and TLEs. All acquisitions comply with Chapter 32 of Wisconsin State Statutes.

Contact: *Mike Marsden, Town Chairman, Town of Grand Chute*
(920) 731-8194

Client: WisDOT, Bureau of Aeronautics
Contract Date: 2004-2005

Work Performed:

11 Avigation Easements at Shawano Municipal Airport

Negotiator for a Runway Relocation project requiring 11 Avigation Easements. Responsibilities include negotiation with property owners, and coordination with appraisal consultants, title company, city staff and BOA personnel. All acquisitions comply with Chapter 32 of the Wisconsin State Statutes.

Contact: *Gordon Fleury, WisDOT, BOA*
(608) 266-2595



A **tyco** International Ltd. Company

1210 Fourier Drive P 608.836.9800
Suite 100 F 608.836.9767
Madison, WI 53717 www.earthtech.com

April 25, 2007

Mark Radtke
Director of Public Works
City of Menasha
140 Main Street
Menasha, WI 55952

Subject: **Response to Request for Proposal
Acquisition Service for Third Street (STH 114)
Project I.D. 4065-13-21**

Dear Mr. Radke:

Enclosed you will find 3 copies of our Proposal for the above named Project. I would like to point out one item for you to consider and that is our understanding of the process you must be following for this Local Public Agency project. Our firm is also the Contract LPA Coordinator for WisDOT Southeast Region and has been for the last 9 years. In this capacity we oversee all of the LPA projects in that region to be sure they follow the WisDOT Real Estate process correctly and efficiently. It has provided us with an insight that no one else has.

Being part of a large engineering firm we also have access to a vast amount of technical expertise in the many disciplines of the profession

There may be questions you may have. Feel free to contact me at any time. I have enclosed my card for your use. We look forward to working with you on this project.

Sincerely,
Earth Tech, Inc.



Raymond G. Gardner
Real Estate Project Manager

Enclosures: As Noted

cc: file

PROPOSAL

FOR

Right of Way, Fee Acquisition, and Negotiations Services

City of Menasha, Wisconsin

Third Street (STH 114)

Racine Street – Manitowoc Street

April 25, 2007

**Prepared for:
Mark Radtke
Director of Public Works
For the City of Menasha, Wisconsin
140 Main Street
Menasha WI 55952
Telephone (920) 967-3611**

**Presented by:
Raymond G. Gardner
Real Estate Department
Earth Tech, Inc.
1210 Fourier Drive, Suite 100
Madison WI, 53717
Telephone (608) 828-8136
Fax (608) 836-9767
E-Mail ray.gardner@earthtech.com**

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RIGHT OF WAY QUALIFICATIONS

For Right of Way Fee acquisitions and Temporary Limited Easements

1. Business Organization

Earth Tech, Inc. (Earth Tech) is an engineering, construction, and environmental firm that has supported the Wisconsin State Departments of Transportation, cities, towns, villages, counties, municipalities, and the private sector for many years. Specializing in planning, design, and construction management of infrastructure, Earth Tech offers clients engineering experience, resources, and unlimited technical capabilities. Our real estate department is one of the finest in the state. Having worked for not only the State of Wisconsin, but also in many of the major municipalities in the state, we have the expertise and experience in acquisition and negotiations, relocation plans and in the necessary relocation services. We have included a listing of projects for you to review regarding projects that we have completed.

Earth Tech's traditions of excellence and integrity were established nearly a century ago. We are committed to providing experienced professionals dedicated to solving our clients' municipal, transportation, right of way, relocation, and environmental challenges. Earth Tech strives for excellence throughout every project, driven by professional integrity, dedication to quality, and genuine concern for our clients' needs.

Locally, there are four offices—Madison, Milwaukee, Sheboygan, and Stevens Point—with close to 500 employees providing services in 11 disciplines. Earth Tech is certified by the Wisconsin Department of Transportation (WisDOT) and is listed on the roster of Eligible Engineering Consultants. Earth Tech is licensed to operate in the State of Wisconsin.

The Real Estate Department located in Madison, works with our other offices to provide real estate acquisition services for roads, highways, buildings, sewer easements, industrial parks, airports, and flood control projects. We are qualified to provide litigation support, real estate acquisition services, negotiation services, relocation plans and relocation assistance to displaced persons, businesses, and farms. We are familiar with and routinely provide services guided by Federal Uniform Relocation Assistance and Real Property Acquisition Act and State Statutes including 32.05 and 32.06 and the Administrative Code COMM 202 and procedures as outlined in the WisDOT Real Estate Manual. Our staff are members of the International Right of Way Association.

Earth Tech is very interested in providing real estate relocation plans, relocation services, and acquisition services. Our Real Estate Department is staffed with personnel who have the expertise, training, and experience to deliver a project on time and with the quality you demand. It would be our intention to outsource the appraisal requirements with an appraiser from the WisDOT approved appraiser list. Our staff participates in all current training with the International Right of Way Association (IRWA) and are members. Ray Gardner and Annette DuCharme are both on the list of approved negotiators for the Department of Transportation in the State of Wisconsin (WisDOT). Ray holds a Real Estate Brokers License for the State of Iowa and Annette is certified in relocation by the IRWA

Some of our current projects are nearing completion and staff will be available for your project. Upon completion of an agreeable contract for all parties and Notice to Proceed we would begin the delivery of service. All work would follow the state statues regarding eminent domain, the Administrative Code and the Uniformed Act and all policies of the state and local government. We will also be following the Wisconsin Department of Transportation Real Estate Manual, and the Right of Way Acquisition Guide for Local Public Agencies, a WisDOT Manual.

KEY PERSONNEL

Raymond Gardner will be the Real Estate Project Manager. Ray has completed many projects of this nature and provided extensive acquisition and relocation services in the state of Wisconsin. With last 9 years as the Contract LPA coordinator for the Southeast Region of the Wisconsin Department of Transportation (WisDOT) will lend a unique set of experiences covering every conceivable situation traditional and non traditional. There is a resume at the back of this proposal.

Annette DuCharme will be responsible for computer operations, record keeping and word processing for this project as well as acquisition and negotiations. Annette has also received current and up to date training in negotiations from the International Right of Way Association (IRWA) as well as WisDOT and the Department of Commerce. She was one of 3 people from Wisconsin to attend the National seminar on changes in the newly revised Uniform Acquisition and Relocation Act. She is certified by the IRWA in relocation and is an approved WisDOT LPA negotiator. There is a resume at the back of this proposal.

2. Statement of Work and Scope

The Earth Tech Real Estate Department can provide the following services for real estate acquisition and negotiation projects:

Provide a Real Estate Project Manager
Preparation of all parcel files

Arrange for appraisal services if needed
Creating or arranging for Sales Studies of Land
Complete acquisition/negotiation services
Acquire land by deed or by Award of Damages
Make requests for Payment
Record all appropriate documents
Coordinate moving with utility companies
Preparation of all R/W certifications if needed

Our Scope of Services does extend far beyond those stated above. If the following services are needed by the City, Earth Tech can provide with a contract amendment.

- Relocation Plan
- Relocation Assistance Services
- Appraisals
- Reimbursement Requests
- Property Management
- Demolition Contract Services

We understand that this project consists of 5 parcels to be acquired by the Nominal Payment Parcel method. Should any of the nominal parcels convert to an appraisal parcel because of the desires of the land owner or the land owner requesting an appraisal then we reserve the right to submit a contract amendment to cover the cost of the required appraisal.

The following is a partial list of projects of similar or larger in size or scope

Partial list of Projects

In the past few years our firm and the real Estate department have successfully completed the following projects:

Portage Levee, City of Portage	Project Management, All Relocation Service, Acquisition Service
Wisconsin Ave., City of Appleton	Project Management, All Relocation Service, Acquisition Service
Apple Creek Flood Control City of Appleton	Project Management, All Relocation Service, Acquisition Service
Water Street, Menomonee Falls	Project Management, All Relocation Service, and Acquisition Service
Kohl Center, Dept. of Admin. In Madison	Project Management, All Relocation Service,
Downtown Renewal, Deforest	Project Management, All Relocation Service, Acquisition Service
La Crosse Center Expansion	Business and residential Relocation Plan, and Relocation Assistance Services
Paoli Street, City of Verona	Project Management, All Relocation Service, Acquisition Service
CTH B, City of La Crosse	Project Management, All Relocation Service, Acquisition Service

South Avenue, City of La Crosse	Project Management, All Relocation Service, Acquisition Service
Village of Oregon	Project Management, All Relocation Service, Acquisition Service
WisDOT, District 1, STH 151	Relocation Plans and Relocation Services
WisDot, District 1, STH 12	Relocation Plan and Relocation Services
CTH M , City of Verona	Program Management, Acquisition Services
CTH L, Waukesha County	Program Management, Relocation Plan Relocation Services, Acquisition Services

At present our firm is the District Wide Contract Local Public Agency Coordinator for the Wisconsin Department of Transportation Southeast Region.

STAFF EXPERIENCE

Individuals that will be involved in this project are as follows:

- Raymond G. Gardner Project Manager
Member of IRWA, he will be responsible for the Project Management of this project as well as the Relocation order, Relocation Plan, negotiations, and all over all responsibilities for the project.
- Annette DuCharme Real Estate Specialist
Member of IRWA, She will be responsible for acquisition and negotiating services as needed, computer work and other administrative assignments.
- Robert F. Thayer Appraiser
Certified appraiser and on the approved list for WisDOT. He will be responsible for the Sales Study and any nominal appraisals if needed.

PAST PROJECT EXPERIENCE

<u>Project</u>	<u>Personnel</u>
Portage Levee, City of Portage	Raymond Gardner, Project Manager Relocation, Negotiations
Wisconsin Ave., City of Appleton	Raymond Gardner, Project Manager
Apple Creek Flood Control	Raymond Gardner, Project Manager

City of Appleton	Negotiations
Ballard Road, City of Appleton	Raymond Gardner, Project Manager Annette DuCharme Negotiations
Water Street, Menomonee Falls	Raymond Gardner, Project Manager Relocation, Negotiations
Kohl Center, Dept. of Admin. In Madison	Raymond Gardner, Project Manager Relocation
Downtown Renewal, Deforest	Raymond Gardner, Project Manager Relocation Annette DuCharme, Relocation
Paoli Street, City of Verona	Raymond Gardner, Project Manager Relocation, Negotiations
CTH B, City of La Crosse	Raymond Gardner, Project Manager Relocation, Negotiations
CTY M, City of Verona	Raymond Gardner, Project Manager Annette DuCharme Negotiations
Village of Oregon	Annette Ducharme Negotiations, Relocation Plan and services
Town of Curtis	Annette DuCharme Relocation plan and services
Trempealeau County, Flood Buy out	Raymond Gardner, Project Manager Negotiations, Relocation Plan and services
District 6 WisDOT, Wetlands Banking	Raymond Gardner, Project Manager Negotiations
District 1 WisDOT, Wetlands baking	Raymond Gardner, Project Manager Annette DuCharme Negotiations
District 2 WisDOT, LPA Coordination	Raymond Gardner Annette DuCharme

3. Time Schedule

Using your Project Start date of April 26, 2004 as a beginning time, the following would be followed assuming that the City has already filed a Certificate of Necessity or a relocation order with the County Clerk:

Sales Study Started	May 14, 2007
Offering price approvals	May 25, 2007
Last offers made	June 16, 2007
Last Jurisdictional Offer made	September 5, 2007
Last Award of damages recorded	September 30, 2007
R/W Clear Date	October 31, 2007

The time frame is very short and tight. We will aim for these dates as our goal.

4. COST OF ACQUISITION SERVICES

COST OF ACQUISITION SERVICES.

Labor Costs

Acquisition Services for 5 Parcels @ \$700 each	\$3,500
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Sales Study each	\$1,800
Appraisal costs if needed	Each \$500 Not added in to total unless needed

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Total Estimated Cost of Services Not to Exceed	\$5,300
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Raymond G. Gardner
Real Estate Agent

Education

AA, Education, Mason City Junior College, Mason City, Iowa, 1960

Professional Licenses

Real Estate Broker, Iowa, #B00868000

Experience Summary

Mr. Gardner was the acquisition and relocation advisor for the city of Mason City, Iowa, for eight years. He has been an expert witness in eminent domain cases relating to construction of a mall where he purchased property and relocated 56 businesses, along with 76 people. His training with HUD covers all aspects of the acquisition process, including review appraisal, and his work with the Red Cross has given him the training and experience with organization and communication.

Project Experience

Dane County, Real Estate Consulting, Dane County, Wisconsin. Project manager for consulting services regarding relocation and other real estate matters. [01/2007 - 01/2009]

City of Horicon, STH 33 Right-of-Way Acquisition, Horicon, Wisconsin. Project manager for purchase of 121 parcels of right of way including some appraisals from Columbia Street to South Palmatory Street. [07/2006-present]

City of Platteville, STH 80 Relocation and Property Acquisition, Platteville, Wisconsin. Project manager for acquisition of parcels for reconstruction of STH 80 from Pine Street to Our House, LLC, to relocate residents and businesses. Managing development of a conceptual relocation plan as well as an acquisition plan. [02/2006-present]

Wisconsin Department of Transportation - Southwest Region, USH 18/151 Relocation Assistance, Ridgeway, Wisconsin. Project manager for development of a draft for approval of a relocation plan for one parcel, acquiring two properties for widening the roadway, and providing relocation assistance for one gas station/restaurant complex. [10/2006 - 10/2009]

Wisconsin Department of Transportation - Northeast Region, USH 41 Oconto-Peshtigo Expressway Property Management, Oconto and Marinette Counties, Wisconsin. Project manager coordinating the property management services for the expressway. [02/2007 - 02/2009]

Wisconsin Department of Transportation - Northeast Region, USH 41 Property Management STH 26 - Breezewood Lane, near Green Bay, Wisconsin. Project manager for acquisition services prior to highway improvement and reconstruction, including appraising four parcels of property, acquiring the parcels by deed or by award, relocation of the businesses that occupy the premises, and property management for structures on the vacant properties by arranging for sale or demolition. [03/2006-present]

Wisconsin Department of Transportation - Northeast Region, USH 41 Property Management, Oconto and Marinette Counties, Wisconsin. Project manager for property management for land and improvements acquired by Wisconsin Department of Transportation. [12/2005 - present]

Wisconsin Department of Transportation - Northeast Region, USH 41 Acquisition Relocation Plan, Winnebago County, Wisconsin. Project manager for preparation of the project acquisition stage relocation plan for approval by appropriate state and federal agencies. [10/2005 - present]

Waukesha County, CTH Y Racine Avenue Right-of-Way Acquisition, Waukesha County, Wisconsin. Project manager for right-of-way acquisition of 10 parcels for construction of CTH Y highway, including negotiation for purchase of the parcels and relocation services for seven of the 10 parcels. [07/2005 - present]

City of Stevens Point, Railroad Improvement Land Acquisition, Stevens Point, Wisconsin. Project manager for acquisition of two parcels of land for improvements for a railway crossing. [03/2006 - present]

City of Stevens Point, USH 10 and Brilowaski Road, Stevens Point, Wisconsin. Project manager for acquisition of 13 parcels of right-of-way property for construction of a highway. Managing negotiations for the property purchases. [07/2005 - present]

Wisconsin Department of Transportation - District 4, Waupaca Bypass Right-of-Way Acquisition, Waupaca, Wisconsin. Project manager for acquisition of 12 right-of-way parcels for construction of a highway, including negotiation services for the property purchase. [07/2005 - present]

Racine County, Washington Avenue to West Boulevard Relocation Plan and Services, Racine County, Wisconsin. Project manager for a project acquisition stage relocation plan for potential displacees to be informed of their respective relocation rights and benefits. [02/2005 - present]

Wisconsin Department of Transportation - District 6, Real Estate Acquisitions. Managed acquisitions and negotiations for wetlands mitigation banking. Working with other Earth Tech offices in Wisconsin.

Village of Oregon, Wisconsin. Participating in acquisition and negotiations of real estate parcels for signalization, intersections, water tower site, and sewer easements.

Village of Waunakee, Wisconsin. Participating in acquisition of real estate for various projects. [2001 - present]

Waukesha County, CTH L (Janesville Road), Waukesha, Wisconsin. Project manager for the acquisition of 42 parcels, some of which required relocation assistance, for the reconstruction of the Janesville Road.

Wisconsin Department of Transportation - District 2, Real Estate Acquisitions, Wisconsin. Project manager and contract local public agency coordinator responsible for district-wide coordination of all local public agency real estate activities relating to roads, streets, highways, and connecting highways. Coordination involved project meetings, project validation, project coordination of activities, consulting with real estate consultants, and coordination with the Department of Transportation. This is the third 2-year contract for this project.

Columbia County, CTH D, Fall River, Wisconsin. Project manager responsible for acquisition of 135 parcels of land in preparation of the reconstructing the road.

Trempealeau County, Flood Damage Mitigation, Trempealeau, Wisconsin. Project manager for acquisition of 14 properties by volunteer action after the county received a FEMA grant for damage mitigation. Prepared a relocation order, offers on all properties, and acquired the needed property.

City of Portage, Wisconsin River Levee, Portage, Wisconsin. Acquisition agent for four parcels of land to build the last of a project managed by the US Army Corps of Engineers.

Village of Verona, CTH M, Verona, Wisconsin. Project manager acquiring strip acquisitions for road right of way.

Village of Oregon, Sanitary Sewer, Oregon, Wisconsin. Managed project acquiring 22 parcels on the back-side of property for a major development going in to the west of the village.

Village of Waunakee, Stormwater, Waunakee, Wisconsin. Project manager for acquisition of land to construct a stormwater ditch to aid in correcting a road problem. Acquired one parcel with six owners.

Wisconsin Department of Transportation - District 1, USH 12, STH 67/175, Wisconsin. Project manager responsible for relocation of numerous parcels. Projects were not related and were miles apart. Prepared the relocation plan for STH 67/175 and provided relocation assistance for both projects.

Wisconsin Department of Transportation - District 1, USH 151 Relocation Services, Wisconsin. Project manager responsible for relocation plans and relocation assistance for parcels on this corridor.

Parcels include a dairy farm, horse farm, storage units, truck body sales, and part of a mobile home park.

City of LaCrosse, CTH B Acquisition and Relocation Services, LaCrosse, Wisconsin. Project manager responsible for acquisition and negotiation services for 23 parcels. Also provided a relocation plan and relocation assistance for one parcel.

City of LaCrosse, South Side Redevelopment for Gundersen Clinic, LaCrosse, Wisconsin. Project manager responsible for acquisition and negotiation services for nine parcels consisting of residential properties, a hospital and clinic, and parcels from a railroad. A relocation plan and relocation assistance was provided for residential properties.

City of LaCrosse, LaCrosse Center Expansion, LaCrosse, Wisconsin. Project manager responsible for relocation plan and relocation assistance for four businesses and one residential unit.

Highway 29 Project Management Team, STH 29 Final Design, Bonduel, Wisconsin. Real estate specialist responsible for real estate acquisition. Real estate services included the right of way acquisition from 100 parcels, relocation of 8 residences, asbestos inspection, and preparation of a razing and removal contract on an expedited schedule of nine months. This project was Phase 3 of a 4-phase contract to construct 14.2 miles of STH 29 between the Shioc River and the Brown County line.

City of Appleton, Wisconsin Avenue Relocation Assistance and Negotiation Services, Appleton, Wisconsin. Real estate specialist responsible for relocation plans and services and acquisition negotiations. Earth Tech was contracted to perform real estate negotiations and relocation assistance for the expansion of Wisconsin Avenue from Badger Avenue to Richmond Street in Appleton. The project involved 91 parcels, two of which required relocation assistance.

Wisconsin Department of Transportation - District 4, Business USH 51 Real Estate Relocation, Wausau, Wisconsin. Real estate specialist to provide real estate relocation services for reconstruction of Business USH 51 from Moore Street to Kent Street in Wausau.

Wisconsin Department of Transportation - District 4, Business 51 (Grand Avenue) Real Estate Acquisition Services, Schofield, Wisconsin. Real estate specialist to provide real estate acquisition services in conjunction with reconstruction of Business USH 51 (Grand Avenue) from Eau Claire River bridge to the Wausau city limits in the city of Schofield.

University of Wisconsin - Madison, Draft Environmental Impact Statement for the Kohl Sports Center, Madison, Wisconsin. Real estate specialist to prepare the draft EIS for development of the Kohl Sports Center at the University of Wisconsin-Madison. Also involved preparation of an acquisition stage relocation plan and provided relocation services for one apartment building within the development area.

Columbia County Highway & Transportation Department, CTH CS Real Estate Acquisition Services, Arlington, Wisconsin. Real estate specialist responsible for real estate negotiations to acquire 32 parcels for reconstruction of CTH CS between STH 22 (Poynette) and USH 51. Negotiation services included 14 fee acquisition parcels, 15 temporary limited easement parcels, and 3 release of rights utility parcels.

City of Beloit, Willowbrook Road Extension Relocation Assistance Services, Beloit, Wisconsin. Real estate specialist responsible for an acquisition stage relocation plan and relocation and negotiation services for extension of Willowbrook Road. Relocation and negotiation services were for one parcel containing three business tenants, one residential owner, and one business owner.

Wisconsin Department of Transportation - District 4, STH 22 (Main Street) Real Estate Services, Montello, Wisconsin. Real estate specialist responsible for negotiation and relocation services for three parcels and four relocations to enable widening of STH 22 in Montello.

Wisconsin Department of Transportation, Relocation Services for Wittman Regional Airport, Oshkosh, Wisconsin. Real estate specialist responsible for relocation services for two owner-occupied parcels and one parcel with two residential tenants and one business tenant in response to expansion of the Wittman Regional Airport.

Menomonee Falls, Village Of; Relocation Services - Parcel B, Menomonee Falls, Wisconsin. Real

estate specialist responsible for gathering information regarding the status of tenants and availability of replacement housing. A relocation plan was created for Parcel B at Mill Street and Main Street and sent to the Department of Commerce for approval.

Wisconsin Department of Transportation - District 2, Local Projects Real Estate Process Management - District-Wide, Waukesha, Wisconsin. Real estate specialist responsible for LPA coordination for the district-wide real estate Local Program. Services included project validation; real estate program management consultant selection recommendations and contract negotiation; monitoring of the acquisition process; provide functional guidance; review of relocation orders; review of Acquisition Capability Statements; review of relocation plans and claims; review of right of way certificates; maintenance of project files; and meetings.

City of Appleton, Evergreen, French, and Ballard Roads Right of Way, Appleton, Wisconsin. Project manager responsible for acquisition of right of way to improve and reconstruct three roads: Evergreen Drive, French Road, and Ballard Road with real estate negotiation and appraisal services to acquire 73 parcels of land. All parcels are partial acquisitions and no structure or relocation services were involved. Appraisal services for up to 35 parcels and title services for up to 23 parcels were required. Federal funding was involved in construction of the Ballard Road section, and local funding was used on Evergreen Drive and French Road.

Village of Menomonee Falls, Water Street Road Reconstruction Real Estate Services, Menomonee Falls, Wisconsin. Real estate specialist responsible for real estate negotiation services to acquire land for the Water Street Road reconstruction. Consists of three properties that are strip acquisitions and temporary limited easements.

Milwaukee County, North 43rd Street (CTH G) Acquisition Services, Milwaukee, Wisconsin. Real estate specialist responsible for real estate acquisition services for reconstruction of North 43rd Street from West Mill Road to West Good Hope Road. Included appraisals for Parcel 1, 58, 60, 75; 70 nominal appraisals, and a sales study. Conducted negotiations with property owners, prepared documents for land interests, finalized all acquisitions, and prepared required certification of right of way.

Columbia County Highway & Transportation Department, CTH G Real Estate Negotiation Services, Wycena, Wisconsin. Real estate specialist responsible for real estate negotiation services to acquire 42 parcels for reconstruction of CTH G. Thirty-six parcels of the nominal type did not require an appraisal. Of the 36 parcels, three are utility parcels and required release of easement. Four parcels required an appraisal.

City of Fort Atkinson, North Third and Armenia Street Design, Fort Atkinson, Wisconsin. Real estate specialist responsible for acquisition services for reconstruction of approximately 2,200 linear feet of North Third Street and 500 linear feet of Armenia Street.

City of Portage, Portage Flood Control, Portage, Wisconsin. Real estate specialist responsible for acquisition services for approximately 38 parcels of real estate, with one parcel involving relocation of two families. Included project setup and management, relocation plan, relocation assistance services, negotiations, and survey and legal descriptions.

City of La Crosse, Transit Center, La Crosse, Wisconsin. Project manager for acquisition of seven parcels and relocation of one retail business.

City of Cudahy, Carpenter Street, Cudahy, Wisconsin. Street reconstruction required purchase of nine parcels of land.

Wisconsin Department of Transportation District 3, STH 54 Interchange, Wisconsin. Project manager responsible for acquiring 18 parcels of land for interchange.

Earth Tech Health & Safety Training

- 01 - Safety Orientation 03/23/2006
- 02 - Hazard Communication (US) /WHMIS (Canada) 02/14/2007
- 03 - Defensive Driving Awareness Training 03/23/2006
- 13 - Field Safety 4-Hour 11/27/2006
- 14 - Office Ergonomics Training 12/16/2005

Training and Certifications

IRWA training in Eminent Domain appraisal
IRWA training in Relocation Assistance both Residential and Business
Training in Appraisal of Partial Acquisitions
Housing Training with HUD Office, Brokers License Training, Managing the Red Cross in the Community, Basic Supervision, Grant Writing for Special Projects, and Successful Fund Raising Techniques
Fiscal Affairs
First Aid Training - First Aid Instructor and Instructor Trainer in M/M, Standard and Advanced
Retraining in Standard First Aid and Personal Safety as Instructor
Volunteer and Paid Staff Working Together, Core I Front Line Leadership, Effective Group Membership, Instructor Training for Territorial Chapter Managers, Core Interpersonal Skills II, Managing Individual Performance, Public Relations Workshop, and Territorial Chapter Manager Trainer
Introduction to Disaster Services, Emergency Assistance to Families, Mass Care I, and Survey and Damage Records and Reports in Disaster
Emergency Assistance to Families II and Records and Reports for Disaster
Administering Public Relations in the Community

Professional Memberships

International Right of Way Association

Conference Presentations

Eminent Domain Process, Wisconsin Department of Transportation District #2 LPA Seminar 2002, 2000.

Publications

Employment History

03/1994 - present, Earth Tech
01/1987 - 03/1994, LaCrosse County Chapter of the American Red Cross
01/1978 - 12/1986, City of Mason City, Iowa
01/1977 - 12/1977, Wolkenhauer Realty

Annette DuCharme
Real Estate Specialist

Professional Licenses

Negotiation and Relocation Agent, Wisconsin
Right of Way - Relocation Assistance Certified, 2001

Experience Summary

Ms. DuCharme is a right-of-way acquisition and relocation agent, specializing in property acquisition for transportation improvement projects.

Project Experience

City of Horicon, STH 33 Right-of-Way Acquisition, Horicon, Wisconsin. Providing acquisition services for 121 parcels of right of way including some appraisals from Columbia Street to South Palmatory Street. [07/2006-present]

City of Stevens Point, Railroad Improvement Land Acquisition, Stevens Point, Wisconsin. Providing acquisition services for two parcels of land in preparation for improvements to a railway crossing. [03/2006 - present]

City of Platteville, STH 80 Relocation Acquisition, Platteville, Wisconsin. Providing acquisition services for reconstruction of STH 80 from Pine Street to Our House, LLC, to relocate residents and businesses. Developed a conceptual relocation plan as well as an acquisition plan. [02/2006-present]

Wisconsin Department of Transportation - Southwest Region, USH 18/151 Relocation Assistance, Ridgeway, Wisconsin. Developing a draft for approval of a relocation plan for one parcel, acquiring two properties for widening the roadway, and providing relocation assistance for one gas station/restaurant complex. [10/2006 - 10/2009]

Wisconsin Department of Transportation - Northeast Region, USH 41 Property Management STH 26 - Breezewood Lane, near Green Bay, Wisconsin. Providing acquisition services prior to highway improvement and reconstruction, including appraising four parcels of property, acquiring the parcels by deed or by award, relocation of the businesses that occupy the premises, and property management for structures on the vacant properties by arranging for sale or demolition. [03/2006-present]

Wisconsin Department of Transportation - District 3, Bay Settlement Interchange, Green Bay, Wisconsin. Provided acquisition services in conjunction with the construction of a partial cloverleaf interchange.

Wisconsin Department of Transportation - District 2, Waukesha, Wisconsin. Counsel with local public agencies on behalf of the district on policies and procedures concerning real estate acquisition and relocation for eminent domain projects. Committee member for federally required training seminar presented in District 2.

Waukesha County, Highway L - Janesville Road Reconstruction, Muskego, Wisconsin. Provided acquisition and relocation services in conjunction with reconstruction of CTH L.

Wisconsin Department of Transportation - District 1, USH 151, STH 12, 67/175, 92, Wisconsin. Provided relocation plan services and acquisitions, with primary emphasis on acquisition, relocation, and property management for mobile home parks.

Village of Oregon, Grant Assistance, Oregon, Wisconsin. Wrote and administered \$500,000 Community Development Block Grant - Emergency Assistance Program for flood mitigation. Provided acquisition and relocation plan and services.

Village of Oregon, Wisconsin. Wrote three pre-applications and one application for FEMA grant.

Village of Oregon, Wisconsin. Provided real estate acquisition services for downtown roundabout.

Village of Oregon, West Side Detention Basin, Oregon, Wisconsin. Provided real estate acquisition services for a stormwater detention facility to reduce the severity and frequency of flooding along the Oregon branch of Badfish Creek.

City of Appleton, Ballard Road, French Road, and Evergreen Drive, Appleton, Wisconsin. Provided acquisition services for road improvements.

New London, Wisconsin. Acquired utility easements for local public utility.

Wisconsin Department of Transportation - District 1, Dane County, Wisconsin. Provided acquisition services for wetlands conservation.

Dane County, Hamilton Place, Madison, Wisconsin. Assisted with relocation plan and services.

Earth Tech Health & Safety Training

- 01 - Safety Orientation 03/17/2006
- 02 - Hazard Communication (US) /WHMIS (Canada) 03/17/2006
- 03 - Defensive Driving Awareness Training 03/17/2006
- 13 - Field Safety 4-Hour 12/13/2004
- 14 - Office Ergonomics Training 12/16/2005

Training and Certifications

IRWA Uniform Act Symposium 2005 – Anaheim, CA
IRWA Eminent Domain Law Basic for ROW #803, 2004
IRWA Legal Aspects of Easements #802, 2003
FHWA – Business Relocation, 2003
IRWA Negotiations and Bargaining #205, 2002
IRWA Advanced Relocation Assistance I - Residential #505, 2001
IRWA Computing Replacement Housing Payments #504, 2001
IRWA Mobile Home Relocation #503, 2001
IRWA Relocation Certification, 2001
IRWA Business Relocation #502, 2001
Wisconsin DOT Local Chapter 17 IRWA - Sales Studies, 2000
IRWA Relocation Assistance #501, 2000
IRWA Ethics and the Right of Way Profession #103, 2000
FHWA - Uniform Act Training, 2000
IRWA Principles of Negotiation #200, 2000
Introduction to Relocation Assistance for Municipal and County Agencies, Wisconsin Department of Commerce, 1999

Professional Memberships

International Right of Way Association
State of Wisconsin Wastewater Operator, Advanced Laboratory Technician

Publications

Employment

History

08/1999	-	present,	Earth	Tech
11/1991 - 08/1999,	City of Beloit Water Pollution Control Facility,	Community Development Department,		
HUD		Assisted		Housing
02/1991	-	11/1991,	Co-ex,	Inc.
01/1990	-	09/1990,	Omniflight	Helicopters
11/1987 - 12/1989,	Real Estate Agent			

Robert F. Thayer
Right of Way Specialist
A-1 Highway Consultants
100 North Madison Street
Bonduel, WI 54107-8304
(920)758-6860

REAL ESTATE BACKGROUND

July 2001 to Present	Highway Real Estate Consultant
June 1986 to July 2001	Right of way specialist appraising and acquiring land for Highway construction- Wisconsin Department of Transportation
1985 to June 1986	Sales, leasing and management of commercial and investment properties
1977 to 1985	Owner/broker of real estate business, Wabeno, WI. Activities included appraisals with listing and sales of residential, commercial, recreational and agricultural properties. Also, developed, and subdivided vacant land for resale
1953 to 1977	Supervisor of mechanical design group at General Telephone and Electronics Corp. (GTE)

EDUCATION

Bachelor of Arts Degree: General Business Studies
Governors State University, Park Forest South, IL
Graduate Courses: Marketing and Economics

DESIGNATION

GRI: Graduate-Realtor's Institute

**REAL ESTATE COURSES
AND SEMINARS**

Commercial and Residential Appraisal Techniques
Commercial and Investment Property Analysis
Residential Sales (CRS 101)
Marketing Agricultural Properties
Business Opportunity Evaluation
Financial Calculator Operation
IRWA Course 401; Appraisal of Partial Acquisitions
SRA 101- Appraisal Techniques
IRWA 101- Principles of R/W Acquisition
IRWA 201- Communications
WisDOT- Appraisal Review
Soil Survey Information in Appraising Farmland
Skills of Expert Testimony
Hazardous Waste

MEMBERSHIP

International Right-of-Way Association



Martenson & Eisele, Inc.

professionals dedicated to serving people committed to improving their communities

Planning
Environmental
Surveying
Engineering
Architecture

April 30, 2007

Mr. Mark Radtke
Director of Public Works
City of Menasha
140 Main Street
Menasha, WI 54952

RE: RIGHT OF WAY ACQUISITION ON THIRD STREET (STH 114)

Dear Mark:

The City of Menasha is in need of assistance to acquire intersection corners and construction easements on Third Street. This work will facilitate a State Trunk Highway 114 reconstruction project in 2008. We are confident that we can perform the work outlined in your scope of services within the project time schedule.

SCOPE OF SERVICES

We understand the scope of services involves the following aspects:

- A sales history of similar land purchases must be conducted to determine a price per parcel. (We understand that the WisDOT has conducted title searches for properties involved, and that such information will be made available.)
- Negotiate with identified owners for the acquisition of identified and legally described parcels.
- Negotiate temporary limited easements for construction purposes.
- Prepare and obtain signatures on Fee Titles to transfer land over to the City of Menasha (Paperwork assistance will be needed from the City Attorney to accomplish this step).
- Secure Release of Rights from Wisconsin Bell, Inc. d/b/a AT&T.
- Coordinate all work with the City of Menasha Public Works Director, Community Development Director, Attorney, and Finance Director.

We understand that full appraisals may be necessary if a land sale cannot be negotiated. If an appraisal is required, we will contact qualified appraisers in the area and coordinate their work with the City of Menasha. Once completed, the appraisal will be presented to the property owner as part of the negotiation process. The property owner has the right to obtain a second appraisal.

If the property owner refuses to sell, condemnation may be necessary. This proposal does not include condemnation work.



PROJECT TIMELINE

We understand the acquisition of the designated parcels and easements must be completed by October 31, 2007. If awarded a contract, we will initiate the sales study and apply the results toward initial offers within 45 days.

STATEMENT OF QUALIFICATIONS

Warren Utecht will perform the work. Warren's qualifications are as follows:

Menasha Utilities District Projects

- Substation site analysis for a substation east of USH 10. Criteria were availability of utilities, road access, aesthetics, visibility and impact on adjacent properties, and close proximity to the power source.
- Property research and recommended route for a power line route to the Natures Way Substation.
- Negotiation and acquisition of land for a route to connect the power source to the Natures Way Substation.
- Legal description for power line easement associated with routing a power line to Natures Way Substation.
- Acquisition or easement rights for water connection/intake line to Lake Winnebago in the Brighton Beach Drive area.
- Property and right-of-way research for Steam Line route to Paper Mill.

City of Menasha Projects

- Appraisal and negotiation of purchase price for properties at 81 and 87 Racine Street.
- Property research and negotiation of land transfer from Alcan (Pechiney) and Sonoco to the City for dedication of a new River Street Right-of-Way.
- Determination of value to make an offer to Canadian National Railroad.

If needed, others in Martenson & Eisele can be called upon to assist in the areas of environmental, surveying, and engineering.

COMPENSATION

The compensation for our services is \$8,750.00. This proposal is valid for sixty (60) days. Services will be billed on a monthly basis for work completed. Invoices are payable within thirty (30) days of receiving our invoice. Our fees do not include reimbursable expenses, such as legal fees or title company work.

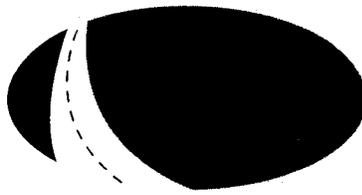
Please feel free to contact me if you have any questions or concerns. If this proposal is acceptable, we will send a Professional Services Agreement for you to review. The agreement will include a Certificate of Insurance and a non-discrimination clause, and will name the City of Menasha as an additional insured party.

Sincerely,

Martenson & Eisele, Inc.



Warren Utecht
Vice President of Planning



G.J. Miesbauer & Associates, Inc.

RIGHT OF WAY ACQUISITION SPECIALISTS

April 26, 2007

City of Menasha
Attn: Mark Radtke
Director of Public Works
140 Main Street
Menasha, WI 54952

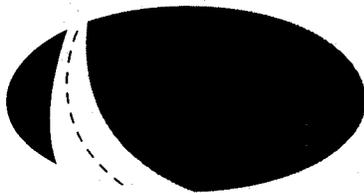
Re: Proposal for Real Estate Services
Project ID: 4065-15-21
City of Menasha
Third Street, STH 114

Dear Mr. Radke:

Thank you for the opportunity to submit a proposal to provide the real estate services in conjunction with reconstruction of Third Street from Tayco Street to Manitowoc Street. All services will be in conformance with Wisconsin Statutes of Eminent Domain (WI 32.05 SS) regulations and policies and will follow the requirements contained in WisDOT Real Estate Program Manual. In addition, all acquisitions will meet appropriate State and Federal laws, policies and guidelines.

The Request for Proposal and attached plat indicates there are five parcels to be acquired. Because time is a factor, I feel the best approach is to have an appraisal prepared for each parcel, rather than use the nominal process. I propose to subcontract appraisal work to Becher - Hoppe Associates, Inc. Their staff appraisers have the professional training and experience to provide in-depth and unbiased appraisal reports and are WisDOT approved appraisers. A resume for appraiser Cheryl Schroeder is attached. My firm will perform an objective review of each appraisal prior to submitting them to the City for approval of the offering prices.

After approval of the offering prices, my firm will negotiate with property owners to acquire each parcel in a timely fashion. Peter and I have had extensive experience negotiating successfully with individuals, banks and, most importantly, U.S. Oil Co. We have dealt with oil companies in several past projects and understand the process that needs to be followed in dealing with them.



G.J. Miesbauer & Associates, Inc.

RIGHT OF WAY ACQUISITION SPECIALISTS

PROPOSED FEE SCHEDULE

Project ID: 4065-13-21

Third Street

The following fees are provided for real estate services for five parcels.
Additional parcels will require additional compensation.

Short Format appraisals for 5 parcels.....	\$6,500
Sales Study	\$2,500
Objective appraisal review for 5 parcels	\$500
Negotiations for 5 parcels fee.....	\$7,500
Negotiations for 1 utility parcel	\$1,000
Title updates	\$500
Total:	\$18,500



We recently completed a project for the City of Neenah, which required acquisition and relocation of 14 parcels as well as acquisition services for several businesses.

Real Estate services will include preparation of all necessary documents needed for all aspects of the acquisition process. These include, but are not limited to, the introductory letter which includes the brochure, "Rights of Landowners under Wisconsin Eminent Domain Law", the offering price letter, purchase agreement, IRS W-9 form, Administrative Revision Report, closing statement, disposition of taxes and conveyance. The RFP indicates condemnation activities are not part of the scope of services. However, we will prepare the necessary right of way certification documents.

We will keep a detailed negotiation diary for each parcel. A monthly progress report will be prepared and submitted to the City. This report will include a summary of activities for the month and a project log indicating the status of each parcel and any problems encountered.

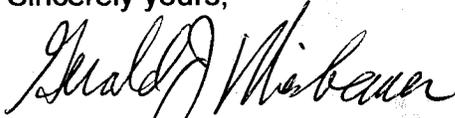
A statement of qualifications for my firm is attached. It details the services G.J. Miesbauer & Associates is qualified to perform. Resumes for Peter Miesbauer and me are included as well as a partial listing of past projects.

I have attached a proposed fee schedule based on acquisition of five parcels. This proposal includes a fee for title updates. I do not anticipate any additional services that would require additional fees at this time.

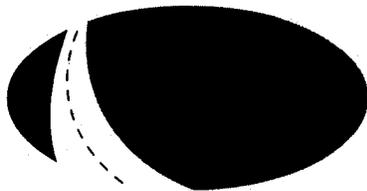
I have also attached a proposed project schedule, which indicates all parcels can be acquired, by agreement, by October 31, 2007. This schedule is ambitious, but achievable.

Thank you again for the opportunity to submit this proposal. Peter and I are looking forward to working with you if the contract is awarded to our firm. Please call me if you have any questions or wish to discuss the proposal in detail.

Sincerely yours,



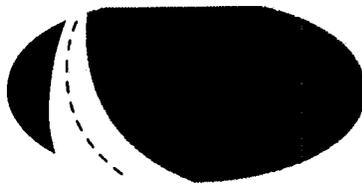
Gerald J. Miesbauer, SRWA
President



G.J. Miesbauer & Associates, Inc.
RIGHT OF WAY ACQUISITION SPECIALISTS

PROPOSED PROJECT SCHEDULE
Project ID: 4065-13-21
Third Street, STH 114

Notice to Proceed	05/14/07
ROW staking completed (by City)	05/14/07
Appraisals completed	06/29/07
All offers approved.....	07/09/07
All offers presented.....	07/13/07
60 days expire	09/14/07
Any final offers approved and presented	10/05/07
All parcels acquired/begin Eminent Domain	10/31/07



G.J. Miesbauer & Associates, Inc.
RIGHT OF WAY ACQUISITION SPECIALISTS

Qualifications Statement

G.J. Miesbauer & Associates, Inc. is a full service, right of way acquisition corporation established by Mr. Gerald Miesbauer, SR/WA, in January 1998 to meet the needs of Wisconsin agencies. We specialize in various types of eminent domain-based acquisition services for highways, airports, utilities, off-premise sign removal and urban renewals.

Our firm delivers on-time, on-budget, total or partial acquisition services for both public and quasi-public entities. We are able to provide multiple services for each phase of a project. These services include:

Pre-project Services

- Acquisition Stage Relocation Plan Preparation
- Public Information Meetings
- Pre-Acquisition Meetings
- Plat and Plan Preview
- Market Studies and Cost Estimates
- Relocation Order Preparation

Project Services

- Sales Studies and Market Analysis
- Property Appraisals and Appraisal Reviews
- Relocation Assistance Eligibility Determinations
- Acquisition Services
- Eminent Domain Services
- Relocation Assistance Services
- Closing Services and Right of Way Certifications

Post-project Services

- Property Management/Rental Agreements
- Site Clearance Activities
- Excess Right of Way Disposal
- Construction Damage Claim Settlements
- File Review and Closure

Whether working with a local municipality or the WisDOT, the goal of our company is to provide customer based, high quality, cost effective acquisition services for the transportation industry. Our objective is to provide staff based project teams supplemented as needed with reputable, experienced subcontractors, to address the individual needs of each customer. We are committed to deliver the best product on time and within budget.



G.J. Miesbauer & Associates, Inc.
RIGHT OF WAY ACQUISITION SPECIALISTS

Qualifications Statement

1998-2007 Experience

STH 23 - City of Fond du Lac

This project involved project management and acquisition of 179 single family, multi-family and complex business properties for a local municipality in collaboration with BRW. Right of way services provided include appraisal, appraisal review and relocation services for 130 displacees. Perion and Associates provided appraisal services. Draheim and Co. provided relocation services. The first phase of the project was completed ahead of schedule with all 53 parcels acquired and all 35 displacees relocated. Although the project involved some very complex, difficult commercial acquisition and relocation, agreements were reached and acquisitions completed to the mutual benefit of the city and property owners. This project was completed on time.

STH 32 - City of Port Washington

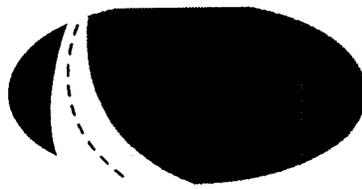
This project involved the appraisal and acquisition of 61 parcels in the City of Port Washington for reconstruction of STH 32 in collaboration with the WisDOT. This project was fast tracked because of a limited timeframe to acquire all right of way. Short format appraisal reports and the nominal parcel payment process were utilized for acquisition of parcels. All offers were mailed to property owners and two public meetings were held shortly after to answer owners' concerns and obtain agreements with owners. The meetings were very successful with over 80% of property owners signing up at the meetings. All parcels were acquired within the time frame.

USH 12 - City of Middleton

This project involved providing relocation services for eight businesses for the USH 12 Improvement Project in Middleton in collaboration with the WisDOT. It involved very complex relocation assistance services. All businesses have been relocated successfully and the project is under construction.

STH 175 - Village of Germantown

This project involved appraisal and acquisition of 13 parcels in the Village of Germantown for reconstruction of STH 175 in preparation for the construction of a new Menards. The project was the result of a three party agreement between the Village, Menards and the WisDOT to reconstruct STH 175 to accommodate the anticipated traffic generated by the construction of a new Menards. It involved extensive communication and coordination with Menard's management and legal staff. All parcels were purchased in a timely fashion and the clients were satisfied.



G.J. Miesbauer & Associates, Inc.
RIGHT OF WAY ACQUISITION SPECIALISTS

Qualifications Statement

USH 12 - Jefferson County

This project involved acquisition of approximately 117 parcels and preparation of a Nominal Payment Parcel Report for reconstruction of the highway. It utilizes the nominal parcel payment process for acquisition of approximately 53 parcels and utilized appraisal reports for the remaining 64 parcels. The project involved acquisition of farmland as well as residential properties. All parcels have been acquired as of April 2004.

STH 16/60 - Dodge County

This project involves acquisition of approximately 105 parcels in an urban and rural environment for reconstruction of STH 16/60 in collaboration with WisDOT. Other activities include preparation of a Nominal Payment Parcel Report, short format appraisal preparation and appraisal review. This project was completed on time.

STH 44/49 - City of Ripon

This project involves acquisition of 103 parcels in the City of Ripon for reconstruction of STH 44/49. The nominal payment process is being utilized for acquisition of all parcels. Several property owner meetings have been held and acquisition progressed very smoothly. The acquisition of 103 parcels was completed in approximately four months.

Marquette Interchange - Milwaukee County

This project involved the acquisition of approximately 15 commercial property parcels in the Marquette Interchange. Other services included preparation of a feasibility study for acquiring lands near the Marquette Interchange to be used for a construction staging area. This project was in collaboration with Milwaukee Transportation Partners and the WisDOT.

USH 151 - Madison to Sun Prairie

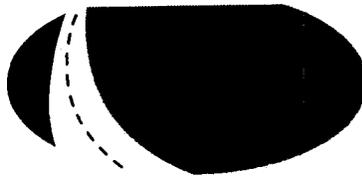
This WisDOT project involved acquisition services and relocation assistance services for commercial as well as residential properties. The scope of work involved preparation of a Relocation Stage Acquisition Plan, negotiation and acquisition of 16 parcels and relocation of four parcels. Right of Way costs exceeded \$6,000,000. This project was completed timely and the road is now under construction.

Calhoun Road - City of Brookfield

This project involves acquisition of 46 parcels in the City of Brookfield for reconstruction of Calhoun Road. There are 19 nominal parcels and 27 appraisal parcels. All parcels were acquired by January 2005.

CTH I - Ozaukee County

This project was for the reconstruction of about 2.2 miles of rural highway and included a new intersection with a primary state trunk highway. It consisted of 41 parcels of mostly rural residential and agricultural use and 3 utility parcels. Acquisition began in April, 2006 and was completed on time in March, 2007.



G.J. Miesbauer & Associates, Inc.
RIGHT OF WAY ACQUISITION SPECIALISTS

Qualifications Statement

CTH "W" – Ozaukee County

This project consisted of the acquisition of 41 parcels for the widening and reconstruction of a urban type roadway that transitions from a developed, high-end commercial office and retail area into an older rural area transitioning into higher density housing and additional office and retail space. All parcels were appraised due to the complexity of the acquisitions. Acquisition began in February, 2005 and the final parcel will be acquired by May 1, 2007.

STH 33 – City of West Bend

This project is located in the downtown area of the City of West Bend and is necessary to accommodate the replacement of the bridge over the Milwaukee River. There were 11 parcels required for the project; five residential properties on the east side of the river treated as nominal acquisitions and six parcels west of the river that were treated as appraisal acquisitions due to their complexity and cost. Acquisition began in February, 2006 and will be completed in April 2007.

STH 60 – City of Hartford

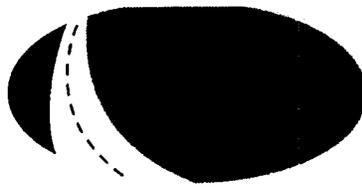
This is a 1.1 mile project that begins at the intersection of STH's 83 and 60 in the downtown area of Hartford and runs west to the City's corporate limits. It consisted of 66 parcels of minimal new right of way acquisition and two utility parcels. Most parcels were considered as nominals and negotiations were conducted by a series of "blitz" meetings with affected land owners. Acquisition began in July 2005 and was completed in August, 2006.

North Washburn Street – City of Oshkosh

This is a 0.4 mile relocation and reconstruction of a frontage road serving the interchange area of USH 41 and STH 23. The project consisted of six parcels and included the acquisition and relocation of two new auto dealerships, a vacant site pending development as a Home Depot retail outlet and three smaller acquisitions from improved commercial properties. Acquisition began in January, 2006 and was completed in October, 2006. The relocation of the two auto dealerships was completed in December, 2006.

Cecil Street – City of Neenah

This is a 0.4 mile project necessary to facilitate the construction of a new overhead crossing the main line and rail yard area of the Wisconsin Central Railroad. The project involved the acquisition of 17 parcels, including 14 residential displaces, one sign relocation and one railroad parcel. Acquisition began in April, 2005 and all relocations were completed by February, 2006. The project was delayed for a time due to environmental concerns and all parcels were acquired by March, 2007.

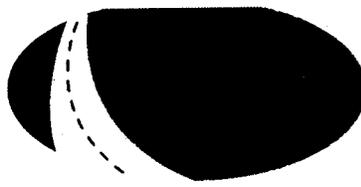


G.J. Miesbauer & Associates, Inc.
RIGHT OF WAY ACQUISITION SPECIALISTS

Qualifications Statement

Wisconsin Street Bridge – City of Oshkosh

This is a 0.5 mile project necessary for the construction of a larger bridge over the Fox River in the near downtown Oshkosh area. The new right of way acquisition consisted of seven strip acquisitions from commercial and retail properties plus two strip acquisitions from properties owned by the University of Wisconsin. The acquisitions were staged to match the three phases of bridge and approach construction. The project is expected to be completed by June 2007.



G.J. Miesbauer & Associates, Inc.
RIGHT OF WAY ACQUISITION SPECIALISTS

Qualifications Statement

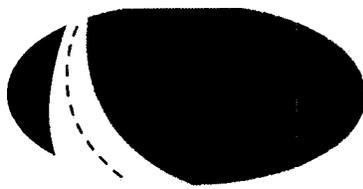
Gerald J. Miesbauer, SR/WA
President

Mr. Miesbauer has over 40 years experience in the right of way field. He was employed for more than 32 years with Wisconsin Department of Transportation (WisDOT) in right of way and managerial positions. He served as Real Estate Manager for District One (Madison) for 15 years during which time his responsibilities included acquisition and relocation activities necessary for the development of the South Madison Beltline Highway and STH 18-151 between Mt. Horeb and Dodgeville. He was named Director of Real Estate for WDOT in 1991 and had total responsibility for statewide real estate activities related to the Department's highway program, amounting to \$25 million in new right of way acquisition annually. He served as Regional Manager for Land Acquisitions, Inc. from 1994 to 1998. In this capacity, he managed the general administration of transportation projects in Wisconsin, including project management of STH 29, USH 10, CTH I in Washington County.

As owner of G.J. Miesbauer & Associates, Inc. he has assumed the project management and negotiation responsibilities for numerous projects. These have included STH 23 in the City of Fond du Lac, CTH C in Ozaukee County, STH 44 in the City of Ripon, the expansion of the Law Enforcement Center in Sauk County and construction of a police station in Reedsburg. He has also supervised preparation of the Acquisition Stage Relocation Plan for several projects and participated in relocation service activities for projects in the City of Reedsburg, Sauk County, Jefferson County, USH 151 in Dane County and USH 12 in Middleton. Most recently, he assumed the role of project manager for four highway projects in WisDOT District 1 as well as for the Marquette Interchange project in WisDOT District 2. As project manager, he is responsible for the coordination of the projects with WisDOT staff as well as negotiation of parcels.

Mr. Miesbauer has been a member of IRWA for over 40 years. He achieved and maintained the "Senior" designation since 1977. He has been approved by WisDOT as a negotiator to acquire real estate for WisDOT projects.

Mr. Miesbauer is a seasoned professional who is capable of interpreting and implementing all functional areas of real estate according to laws, statutes, codes and policies. He has demonstrated expertise in oral and written communications and has taken the lead in public involvement. He also is well versed in functioning with other disciplines, such as design and construction.



G.J. Miesbauer & Associates, Inc.
RIGHT OF WAY ACQUISITION SPECIALISTS

Qualifications Statement

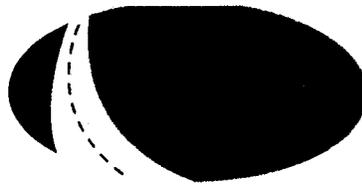
Peter Miesbauer
Right of Way Specialist

Since joining G.J. Miesbauer & Associates in 1999, Mr. Peter Miesbauer has been involved in the acquisition of right of way for numerous projects, including the reconstruction of STH 23 in the City of Fond du Lac, the reconstruction of CTH C for Ozaukee County, the reconstruction of County Line Road for the Village of Germantown and the reconstruction of STH 44 for City of Ripon. While working in Ozaukee County and the Village of Germantown he prepared the Nominal Parcel Payment Reports. He has prepared Nominal Parcel Payment Reports and acquired land utilizing the nominal process as well as fee acquisitions for four projects in WisDOT District 1. He has been involved in the preparation of Acquisition Stage Relocation Plans and/or relocation services for several projects, including USH 151 in Dane County, USH 12 in Middleton, expansion of the Law Enforcement Center in Sauk County, a new police station in the City of Reedsburg and a farm business in Jefferson County as well as involvement in a project in collaboration with WDOT for the USH 12 Improvement Project in Middleton, providing relocation services for eight businesses. He recently provided acquisition services for a project in the City of Brookfield.

Prior to employment with G.J. Miesbauer & Associates, Inc., Mr. Miesbauer worked as a real estate specialist for Land Acquisitions, Inc., in Madison, assisting in negotiations and relocation assistance on USH 10 in Waupaca County. He also participated in preparing the Relocation Plan for the City of Fond du Lac while employed at LAI.

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G.J. Miesbauer & Associates, Inc.
RIGHT OF WAY ACQUISITION SPECIALISTS

Qualifications Statement

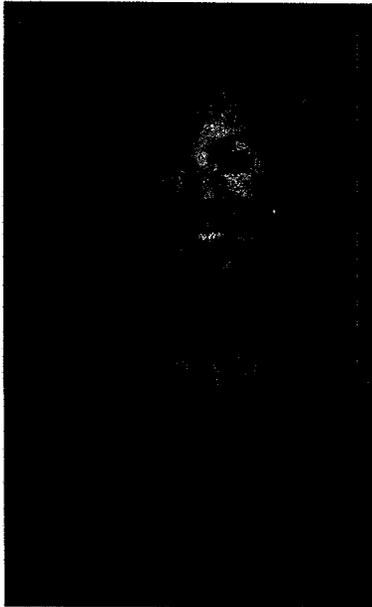
Kellie Miesbauer
Office Manager

Ms. Miesbauer has assumed the role of office manager for the firm. She manages the office staff and coordinates the work assignments. She is well versed in computers and software and is able to assist staff with various functions. She will maintain parcel files, prepare all progress reports and other appropriate documents as necessary.

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Cheryl R. Schroeder

Real Estate Specialist, Wisconsin CGA No. 1317



Ms. Schroeder provides assistance with real estate related services including appraisal, negotiation/acquisition, and relocation assistance.

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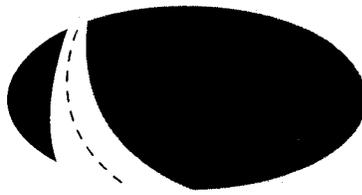
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- FHA 4150.2 Seminar - 1-4 Family Homes
- WisDOT Appraisal Training for Eminent Domain
- USPAP Standards of Professional Appraisal Practice - 15 hr
- Income Capitalization - 7 hr

Professional Registration

Wisconsin Certified General Appraiser
CGA No.1317



G.J. Miesbauer & Associates, Inc.

RIGHT OF WAY ACQUISITION SPECIALISTS

April 26, 2007

City of Menasha
Attn: Mark Radtke
Director of Public Works
140 Main Street
Menasha, WI 54952

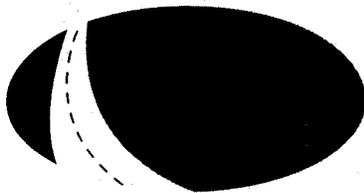
Re: Proposal for Real Estate Services
Project ID: 4065-15-21
City of Menasha
Third Street, STH 114

Dear Mr. Radke:

Thank you for the opportunity to submit a proposal to provide the real estate services in conjunction with reconstruction of Third Street from Tayco Street to Manitowoc Street. All services will be in conformance with Wisconsin Statutes of Eminent Domain (WI 32.05 SS) regulations and policies and will follow the requirements contained in WisDOT Real Estate Program Manual. In addition, all acquisitions will meet appropriate State and Federal laws, policies and guidelines.

The Request for Proposal and attached plat indicates there are five parcels to be acquired. Because time is a factor, I feel the best approach is to have an appraisal prepared for each parcel, rather than use the nominal process. I propose to subcontract appraisal work to Becher - Hoppe Associates, Inc. Their staff appraisers have the professional training and experience to provide in-depth and unbiased appraisal reports and are WisDOT approved appraisers. A resume for appraiser Cheryl Schroeder is attached. My firm will perform an objective review of each appraisal prior to submitting them to the City for approval of the offering prices.

After approval of the offering prices, my firm will negotiate with property owners to acquire each parcel in a timely fashion. Peter and I have had extensive experience negotiating successfully with individuals, banks and, most importantly, U.S. Oil Co. We have dealt with oil companies in several past projects and understand the process that needs to be followed in dealing with them.



G.J. Miesbauer & Associates, Inc.

RIGHT OF WAY ACQUISITION SPECIALISTS

PROPOSED FEE SCHEDULE

Project ID: 4065-13-21

Third Street

The following fees are provided for real estate services for five parcels.
Additional parcels will require additional compensation.

Short Format appraisals for 5 parcels.....	\$6,500
Sales Study	\$2,500
Objective appraisal review for 5 parcels	\$500
Negotiations for 5 parcels fee.....	\$7,500
Negotiations for 1 utility parcel	\$1,000
Title updates	\$500
Total:	\$18,500



We recently completed a project for the City of Neenah, which required acquisition and relocation of 14 parcels as well as acquisition services for several businesses.

Real Estate services will include preparation of all necessary documents needed for all aspects of the acquisition process. These include, but are not limited to, the introductory letter which includes the brochure, "Rights of Landowners under Wisconsin Eminent Domain Law", the offering price letter, purchase agreement, IRS W-9 form, Administrative Revision Report, closing statement, disposition of taxes and conveyance. The RFP indicates condemnation activities are not part of the scope of services. However, we will prepare the necessary right of way certification documents.

We will keep a detailed negotiation diary for each parcel. A monthly progress report will be prepared and submitted to the City. This report will include a summary of activities for the month and a project log indicating the status of each parcel and any problems encountered.

A statement of qualifications for my firm is attached. It details the services G.J. Miesbauer & Associates is qualified to perform. Resumes for Peter Miesbauer and me are included as well as a partial listing of past projects.

I have attached a proposed fee schedule based on acquisition of five parcels. This proposal includes a fee for title updates. I do not anticipate any additional services that would require additional fees at this time.

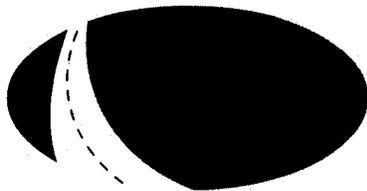
I have also attached a proposed project schedule, which indicates all parcels can be acquired, by agreement, by October 31, 2007. This schedule is ambitious, but achievable.

Thank you again for the opportunity to submit this proposal. Peter and I are looking forward to working with you if the contract is awarded to our firm. Please call me if you have any questions or wish to discuss the proposal in detail.

Sincerely yours,



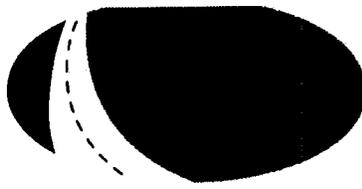
Gerald J. Miesbauer, SRWA
President



G.J. Miesbauer & Associates, Inc.
RIGHT OF WAY ACQUISITION SPECIALISTS

PROPOSED PROJECT SCHEDULE
Project ID: 4065-13-21
Third Street, STH 114

Notice to Proceed	05/14/07
ROW staking completed (by City)	05/14/07
Appraisals completed	06/29/07
All offers approved.....	07/09/07
All offers presented.....	07/13/07
60 days expire	09/14/07
Any final offers approved and presented	10/05/07
All parcels acquired/begin Eminent Domain	10/31/07



G.J. Miesbauer & Associates, Inc.
RIGHT OF WAY ACQUISITION SPECIALISTS

Qualifications Statement

G.J. Miesbauer & Associates, Inc. is a full service, right of way acquisition corporation established by Mr. Gerald Miesbauer, SR/WA, in January 1998 to meet the needs of Wisconsin agencies. We specialize in various types of eminent domain-based acquisition services for highways, airports, utilities, off-premise sign removal and urban renewals.

Our firm delivers on-time, on-budget, total or partial acquisition services for both public and quasi-public entities. We are able to provide multiple services for each phase of a project. These services include:

Pre-project Services

- Acquisition Stage Relocation Plan Preparation
- Public Information Meetings
- Pre-Acquisition Meetings
- Plat and Plan Preview
- Market Studies and Cost Estimates
- Relocation Order Preparation

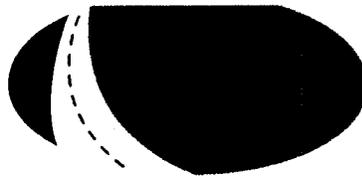
Project Services

- Sales Studies and Market Analysis
- Property Appraisals and Appraisal Reviews
- Relocation Assistance Eligibility Determinations
- Acquisition Services
- Eminent Domain Services
- Relocation Assistance Services
- Closing Services and Right of Way Certifications

Post-project Services

- Property Management/Rental Agreements
- Site Clearance Activities
- Excess Right of Way Disposal
- Construction Damage Claim Settlements
- File Review and Closure

Whether working with a local municipality or the WisDOT, the goal of our company is to provide customer based, high quality, cost effective acquisition services for the transportation industry. Our objective is to provide staff based project teams supplemented as needed with reputable, experienced subcontractors, to address the individual needs of each customer. We are committed to deliver the best product on time and within budget.



G.J. Miesbauer & Associates, Inc.
RIGHT OF WAY ACQUISITION SPECIALISTS

Qualifications Statement

1998-2007 Experience

STH 23 - City of Fond du Lac

This project involved project management and acquisition of 179 single family, multi-family and complex business properties for a local municipality in collaboration with BRW. Right of way services provided include appraisal, appraisal review and relocation services for 130 displacees. Perion and Associates provided appraisal services. Draheim and Co. provided relocation services. The first phase of the project was completed ahead of schedule with all 53 parcels acquired and all 35 displacees relocated. Although the project involved some very complex, difficult commercial acquisition and relocation, agreements were reached and acquisitions completed to the mutual benefit of the city and property owners. This project was completed on time.

STH 32 - City of Port Washington

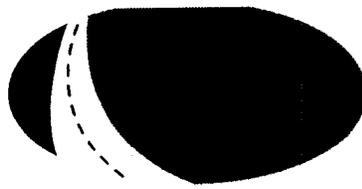
This project involved the appraisal and acquisition of 61 parcels in the City of Port Washington for reconstruction of STH 32 in collaboration with the WisDOT. This project was fast tracked because of a limited timeframe to acquire all right of way. Short format appraisal reports and the nominal parcel payment process were utilized for acquisition of parcels. All offers were mailed to property owners and two public meetings were held shortly after to answer owners' concerns and obtain agreements with owners. The meetings were very successful with over 80% of property owners signing up at the meetings. All parcels were acquired within the time frame.

USH 12 - City of Middleton

This project involved providing relocation services for eight businesses for the USH 12 Improvement Project in Middleton in collaboration with the WisDOT. It involved very complex relocation assistance services. All businesses have been relocated successfully and the project is under construction.

STH 175 - Village of Germantown

This project involved appraisal and acquisition of 13 parcels in the Village of Germantown for reconstruction of STH 175 in preparation for the construction of a new Menards. The project was the result of a three party agreement between the Village, Menards and the WisDOT to reconstruct STH 175 to accommodate the anticipated traffic generated by the construction of a new Menards. It involved extensive communication and coordination with Menard's management and legal staff. All parcels were purchased in a timely fashion and the clients were satisfied.



G.J. Miesbauer & Associates, Inc.
RIGHT OF WAY ACQUISITION SPECIALISTS

Qualifications Statement

USH 12 - Jefferson County

This project involved acquisition of approximately 117 parcels and preparation of a Nominal Payment Parcel Report for reconstruction of the highway. It utilizes the nominal parcel payment process for acquisition of approximately 53 parcels and utilized appraisal reports for the remaining 64 parcels. The project involved acquisition of farmland as well as residential properties. All parcels have been acquired as of April 2004.

STH 16/60 - Dodge County

This project involves acquisition of approximately 105 parcels in an urban and rural environment for reconstruction of STH 16/60 in collaboration with WisDOT. Other activities include preparation of a Nominal Payment Parcel Report, short format appraisal preparation and appraisal review. This project was completed on time.

STH 44/49 - City of Ripon

This project involves acquisition of 103 parcels in the City of Ripon for reconstruction of STH 44/49. The nominal payment process is being utilized for acquisition of all parcels. Several property owner meetings have been held and acquisition progressed very smoothly. The acquisition of 103 parcels was completed in approximately four months.

Marquette Interchange - Milwaukee County

This project involved the acquisition of approximately 15 commercial property parcels in the Marquette Interchange. Other services included preparation of a feasibility study for acquiring lands near the Marquette Interchange to be used for a construction staging area. This project was in collaboration with Milwaukee Transportation Partners and the WisDOT.

USH 151 - Madison to Sun Prairie

This WisDOT project involved acquisition services and relocation assistance services for commercial as well as residential properties. The scope of work involved preparation of a Relocation Stage Acquisition Plan, negotiation and acquisition of 16 parcels and relocation of four parcels. Right of Way costs exceeded \$6,000,000. This project was completed timely and the road is now under construction.

Calhoun Road - City of Brookfield

This project involves acquisition of 46 parcels in the City of Brookfield for reconstruction of Calhoun Road. There are 19 nominal parcels and 27 appraisal parcels. All parcels were acquired by January 2005.

CTH I - Ozaukee County

This project was for the reconstruction of about 2.2 miles of rural highway and included a new intersection with a primary state trunk highway. It consisted of 41 parcels of mostly rural residential and agricultural use and 3 utility parcels. Acquisition began in April, 2006 and was completed on time in March, 2007.



G.J. Miesbauer & Associates, Inc.
RIGHT OF WAY ACQUISITION SPECIALISTS

Qualifications Statement

CTH "W" – Ozaukee County

This project consisted of the acquisition of 41 parcels for the widening and reconstruction of a urban type roadway that transitions from a developed, high-end commercial office and retail area into an older rural area transitioning into higher density housing and additional office and retail space. All parcels were appraised due to the complexity of the acquisitions. Acquisition began in February, 2005 and the final parcel will be acquired by May 1, 2007.

STH 33 – City of West Bend

This project is located in the downtown area of the City of West Bend and is necessary to accommodate the replacement of the bridge over the Milwaukee River. There were 11 parcels required for the project; five residential properties on the east side of the river treated as nominal acquisitions and six parcels west of the river that were treated as appraisal acquisitions due to their complexity and cost. Acquisition began in February, 2006 and will be completed in April 2007.

STH 60 – City of Hartford

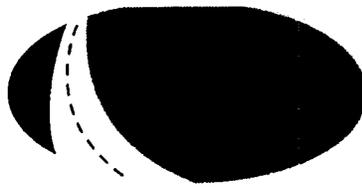
This is a 1.1 mile project that begins at the intersection of STH's 83 and 60 in the downtown area of Hartford and runs west to the City's corporate limits. It consisted of 66 parcels of minimal new right of way acquisition and two utility parcels. Most parcels were considered as nominals and negotiations were conducted by a series of "blitz" meetings with affected land owners. Acquisition began in July 2005 and was completed in August, 2006.

North Washburn Street – City of Oshkosh

This is a 0.4 mile relocation and reconstruction of a frontage road serving the interchange area of USH 41 and STH 23. The project consisted of six parcels and included the acquisition and relocation of two new auto dealerships, a vacant site pending development as a Home Depot retail outlet and three smaller acquisitions from improved commercial properties. Acquisition began in January, 2006 and was completed in October, 2006. The relocation of the two auto dealerships was completed in December, 2006.

Cecil Street – City of Neenah

This is a 0.4 mile project necessary to facilitate the construction of a new overhead crossing the main line and rail yard area of the Wisconsin Central Railroad. The project involved the acquisition of 17 parcels, including 14 residential displaces, one sign relocation and one railroad parcel. Acquisition began in April, 2005 and all relocations were completed by February, 2006. The project was delayed for a time due to environmental concerns and all parcels were acquired by March, 2007.

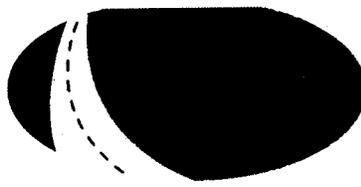


G.J. Miesbauer & Associates, Inc.
RIGHT OF WAY ACQUISITION SPECIALISTS

Qualifications Statement

Wisconsin Street Bridge – City of Oshkosh

This is a 0.5 mile project necessary for the construction of a larger bridge over the Fox River in the near downtown Oshkosh area. The new right of way acquisition consisted of seven strip acquisitions from commercial and retail properties plus two strip acquisitions from properties owned by the University of Wisconsin. The acquisitions were staged to match the three phases of bridge and approach construction. The project is expected to be completed by June 2007.



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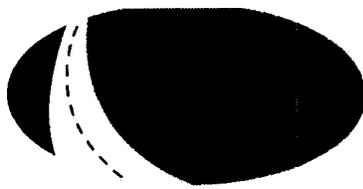
Gerald J. Miesbauer, SR/WA
President

Mr. Miesbauer has over 40 years experience in the right of way field. He was employed for more than 32 years with Wisconsin Department of Transportation (WisDOT) in right of way and managerial positions. He served as Real Estate Manager for District One (Madison) for 15 years during which time his responsibilities included acquisition and relocation activities necessary for the development of the South Madison Beltline Highway and STH 18-151 between Mt. Horeb and Dodgeville. He was named Director of Real Estate for WDOT in 1991 and had total responsibility for statewide real estate activities related to the Department's highway program, amounting to \$25 million in new right of way acquisition annually. He served as Regional Manager for Land Acquisitions, Inc. from 1994 to 1998. In this capacity, he managed the general administration of transportation projects in Wisconsin, including project management of STH 29, USH 10, CTH I in Washington County.

As owner of G.J. Miesbauer & Associates, Inc. he has assumed the project management and negotiation responsibilities for numerous projects. These have included STH 23 in the City of Fond du Lac, CTH C in Ozaukee County, STH 44 in the City of Ripon, the expansion of the Law Enforcement Center in Sauk County and construction of a police station in Reedsburg. He has also supervised preparation of the Acquisition Stage Relocation Plan for several projects and participated in relocation service activities for projects in the City of Reedsburg, Sauk County, Jefferson County, USH 151 in Dane County and USH 12 in Middleton. Most recently, he assumed the role of project manager for four highway projects in WisDOT District 1 as well as for the Marquette Interchange project in WisDOT District 2. As project manager, he is responsible for the coordination of the projects with WisDOT staff as well as negotiation of parcels.

Mr. Miesbauer has been a member of IRWA for over 40 years. He achieved and maintained the "Senior" designation since 1977. He has been approved by WisDOT as a negotiator to acquire real estate for WisDOT projects.

Mr. Miesbauer is a seasoned professional who is capable of interpreting and implementing all functional areas of real estate according to laws, statutes, codes and policies. He has demonstrated expertise in oral and written communications and has taken the lead in public involvement. He also is well versed in functioning with other disciplines, such as design and construction.



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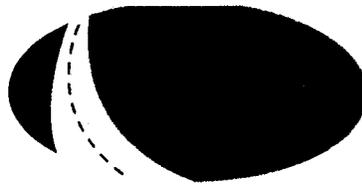
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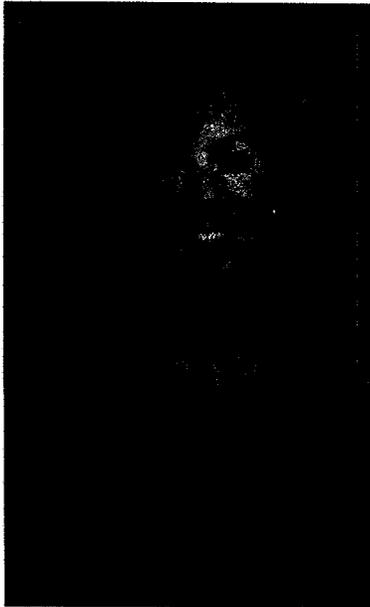
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- Income Capitalization - 7 hr

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Wisconsin Certified General Appraiser
CGA No.1317

Moss and Associates

April 26, 2007

City of Menasha
Attn: Mark Radtke
Director of Public Works
140 Main Street
Menasha, WI 54952

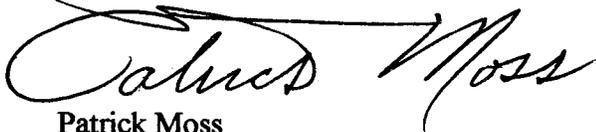
Dear Mark Radtke,

Enclosed please find a copy of our contract and our resumes. **Moss and Associates** was formed in 1995 in response to the need by local public agencies for competent, professional help in the acquisition of right of way, and management of right of way projects under chapter 32 and 202 of Wisconsin Administrative code.

Please feel free to contact any of the municipalities in our resumes for references. We feel our contract has served our firm and the communities we've worked for very well. (Currently we are working on a project for the City of Kaukauna to reconstruct Crooks Avenue (STH 55), which is in relatively close proximity to Menasha.)

If you have any questions please contact us at 1-920-494-5931. Thank you.

Sincerely,
MOSS AND ASSOCIATES



Patrick Moss
Negotiator/Consultant

Enc. Resumes
Contract for Services

CONTRACT FOR SERVICES
BETWEEN
CITY OF MENASHA
AND MOSS AND ASSOCIATES

Moss and Associates will acquire an update of title for all necessary parcels, provide negotiation and project management, through acquisition and or condemnation.

Negotiation Services

- Moss and Associates will provide all aspects of property acquisition:
- Required handouts such as Property Owner Appraisal Guidelines, Property Owner Rights Brochure, Offer Price letter, copy of appraisals and description of taking and obtain purchase agreement if desirable.
- Negotiation files complete with Title Search, copy of appraisal, negotiation diary, mortgage releases, lien releases, tax proration, closing statement, copies of conveyances and statement to construction engineer.
- Obtain mortgage and lien releases when necessary.
- Submit necessary deeds and releases to the register of deeds for recording.
- Provide necessary documentation to the designated City of Menasha when an administrative settlement is recommended by the negotiator to preclude condemnation.
- Voucher all payment requests to City of Menasha for payment of the acquisition.
- Provide all necessary forms to proceed with condemnation if necessary, i.e. Jurisdictional Offer and Award of Damages.

Project Management Services

- Moss and Associates will conduct all activities within the guidelines of Wis. Stats. Chapter 32 and Wis. Administrative Code Chapter 202.
- Invoice City of Menasha monthly for work processed.
- Process offering price reports to the Village for approval.
- Audit, approve and voucher payments for completed appraisal fees.
- Review and voucher invoices for property owner appraisals as provided in Wis. Stats. 32.05(2)(b).
- Provide periodic status reports
- Provide pre-trial consultation regarding condemnation proceedings
- Attend any meeting or conference required by the Village of Luxemburg or the Wis. D.O.T.
- Provide consultation as necessary

CITY OF MENASHA will provide:

- Any information necessary from the Village Assessor for the appraiser or negotiator to perform their functions.
- Any necessary R/W plats, construction plans, profiles and cross sections as required.
- All engineering survey services and descriptions for property acquisition
- Arrange and conduct all asbestos contamination inspections, remediation and property demolition.
- Pay for any Title Searches or updates to Title Searches.
- Pay for all approved purchases of right of way.
- Pay for all approved relocation payments.
- Pay for approved appraisal fees.

Hold Harmless

If a legal challenge is filed in Kewaunee County Circuit Court against City of Menasha for the Village 's exercise of condemnation powers under Chapter 32, Wis. Stats., for the project that is the subject of this Agreement and Moss and Associates are named as a party to the condemnation proceedings, City of Menasha agrees to hold Moss and Associates harmless from claims made against Moss and Associates for Circuit Court proceedings involving Chapter 32, Wis. Stats. And City of Menasha further agrees to provide legal representation at the expense of City of Menasha necessary to defend Moss and Associates for Chapter 32 proceedings. This hold harmless and duty to defend provision does not apply to negligent and willful acts or personal injuries or property damage caused by or performed by Moss and Associates.

Moss and Associates will provide the services as outlined above for a fee of \$75.00 per hour with the exception of subcontracted services. Subcontracted services consist of Title Search and update, Appraisal fees and Appraisal review. The subcontracted services will be billed at the subcontractor's actual and reasonable billing rates.

MOSS AND ASSOCIATES

CITY OF MENASHA

Patrick Moss, Owner

Date

Authorized Signature

Date

Project ID Third Street
 Tayco St.-Manitowoc St
 STH 114
 City of Menasha
 Winnebago Co.

RESUME

RANDY J. MOSS

Acquisition/Relocation Specialist

EDUCATIONAL BACKGROUND

1977-1982 **University of Wisconsin-Stevens Point**, Bachelor of
Science degree in Forestry with emphases in Urban
Forestry and Forest Management.

1976-1977 **University of Wisconsin-Milwaukee**

1972-1976 **Ashwaubenon High School - Graduate 1976**

PROFESSIONAL BACKGROUND

11/95-Present **Moss & Associates - Acquisition Specialist**

1-96-Present **Draheim Company, Inc. - Relocation Specialist**

December 1995 **Member IRWA (International Right of Way Association)**

October 1995 **IRWA (Training Seminar) - Business Moving Payments**

December 1995 **IRWA Course 501 - Relocation**

March 1996 **IRWA Course 201 - Communication**

May 1996 **IRWA Course 205 - Bargaining Negotiations**

September 1996 **NWTC Course - Appraisal 1**

September 1996 **IRWA Seminar - Pre-trial Preparation for Relocation**

February 1997 **NWTC Course - Code & Ethics**

March 1997 **IRWA Course 401 - Partial Acquisition**

April 1997 **NWTC Course - Licensure II**

September 1997 **WisDOT & IRWA Course - Case Studies in Eminent Domain
Appraisal Seminar**

May 2004 **WisDOT Seminar - Update on LPA Manual**

CURRENT AND RECENT PROJECTS

Negotiation **West Side Arterial - Winnebago County**
Sturgeon Bay Waterfront Redevelopment Project
Cardinal Lane Extension - Brown County
Nathan Drive & Overland Road Project - Town of Hobart
Riverview Drive Project - Village of Howard
Memorial Drive project - Village of Howard
Dousman St. Extension - Village of Howard
Belmont Road Reconstruction - Village of Howard
Brookfield Road Project - Village of Howard
Sewer Interceptor - Village of Hobart
Sewer Interceptor - Village of Howard
CTH "G" - Brown Co. Hwy. Comm.
Camelot Blvd. - City of Sheboygan
Bluemound Drive - Town of Grand Chute
Vine Road - Town of Freedom

Relocation

Geenen Lane -Town of Freedom
Peterson Road – Town of Freedom
Shawano Ave. Reconstruction – Brown Co. Highway Dept.
Haven Lane Reconstruction – Village of Luxemburg
Bay Settlement Road Reconstruction – Town of Scott
Lynndale Drive – Town of Grand Chute
Glen Kent Subdivision – Village of Howard
Greenville Bike/Pedestrian Trail – Town of Greenville
Glendale/Pinecrest Reconstruction – Village of Howard
Sturgeon Bay Waterfront Redevelopment Project
Cardinal Lane Extension Project - Brown County
STH 29 Project - Abbotsford-Marathon City (Sections A,B,C, D)
Muskego Community Park Project - Waukesha County
Ashwaubenon Industrial Park Expansion - Brown County
Riverview Drive Project - Village of Howard
Crooks Street-City of Kaukauna
Dousman St. Extension – Village of Howard
Camelot Blvd. – City of Sheboygan
Lynndale Drive at Heather/Nordale – Town of Grand Chute

RESUME

NAME: Patrick Moss

ADDRESS: 1249 Alice Drive
Green Bay, WI 54304

TELEPHONE #: (920) 494-5931 Office
(920) 680-2635 Mobile
(920) 494-1099 Fax

PREVIOUS EMPLOYMENT: Wisconsin Dept. of Transportation, 28 1/2 years,
Primary Responsibilities: Appraiser and Lead Negotiator.

CURRENT OCCUPATION: Owner, MOSS and ASSOCIATES (12 years), Land acquisition specialists.

SERVICES OFFERED: Project Management; Plat review; Relocation Assistance; Negotiation, (specializing in complex negotiations); Administrative settlements; Condemnation consultation; Litigation Coordination (I have a thorough knowledge of Wisconsin Eminent Domain Law and its application.); Creation of specialized documents and agreements for complex acquisition; Relocation.

CURRENT PROJECTS: Town of Grand Chute, (R/W Acquisition-Bluemound Drive Reconstruct)
Town of Grand Chute (R/W Acquisition-Capitol Drive Reconstruct)
Town of Freedom, Outagamie County (R/W Acquisition)
Village of Howard, Brown County (R/W Acquisition -Memorial Drive & Riverview Dr.)
City of Hartford, Washington Co. (Water Well Site Acquisition)
City of Hartford/Village of Slinger (Electrical Substation Land Acquisition)
City of Kaukauna, Crooks Ave. (STH "55") Reconstruction

EDUCATION: Bachelor of Business Administration degree-UWM-
majoring in Real Estate, Urban Planning and Geography.

LICENSES: Wisconsin Real Estate broker since 1965-1977

MEMBERSHIP: International Right of Way Association since the 1960's.

REFERENCES: See reverse side

REFERENCES:

WisDOT - Attn: Dennis Fonger
Statewide Appraisal Reviewer
PO Box 28080
Green Bay, WI 54324-0080
Business Phone - 920 492-5709

John Hayes
Winnebago Co. Highway Commissioner
PO Box 2764
Oshkosh, WI 54903-2764
Business Phone - 920 424-0025

Roger Kolb
Brown County Hwy. Commissioner
2198 Glendale Avenue
Green Bay, WI 54303
Business Phone 920 492-4925

Robert Jakel
City of Kaukauna Dir. of Planning
201 West Second Street
P.O. Box 890
Kaukauna, WI 54130
Business Phone 920-766-6315

Steven Frassetto
Attorney for Town of Freedom
Menn Law Firm
222 N. Oneida
Appleton, WI 54915
Business Phone 920-731-6631

Atty. Karen Christianson
City Attorney
P O Box 429
Hartford, WI 53027-1591
Business Phone 920 673-7700

WisDOT - Attn: James Lamers
District Design Supervisor
PO Box 28080
Green Bay, WI 54324-0080
Business Phone - 920 492-5662

Geoff Farr, PE
Village of Howard
1336 Cornell Road
Green Bay, WI 54303
Business Phone 920 434-4070

Mark Rohloff
Town of Grand Chute Administrator
1900 Grand Chute Blvd.
Grand Chute, WI 54913-9613
Business Phone 920-832-1573



Division of Transportation
System Development
Northeast Regional Office
944 Vanderperren Way
PO Box 28080
Green Bay, WI 54324-0080

Jim Doyle, Governor
Frank J. Busalacchi, Secretary
Internet web site: www.dot.wisconsin.gov

Telephone: (920)492-5623
Facsimile (FAX): (920)492-5640
E-mail: greenbay.dtd@dot.state.wi.us

March 15, 2007

RE: NE Region Programming Unit
Programming the (*Large*) Highway Safety Improvement Program (HSIP)
2008-2011 Highway Safety Improvement Program
Projects greater than \$25,000

The NE Region is requesting your help in developing a four-year HSIP improvement program (formerly known as the Hazard Elimination Safety (HES) Program) for County and Local roads. The HSIP improvement program's objective is to develop and implement safety projects designed to reduce the number and severity of crashes on all highways.

Program Development Cycle:

To provide adequate lead-time for project planning and development, the HSIP program spans four years. Project solicitation to the standard HSIP will occur every two years (odd-numbered years).

Interim Project Submittals:

The HSIP Review Committee will still consider candidate projects throughout the year, but these projects will be reviewed after the projects that are submitted by the submittal deadline. WisDOT anticipates greater competition for the HSIP funds and projects may be extended out 1 to 2 years from the original year requested.

Project Funding Caps:

Project costs should be estimated in current year dollars in the submittal packages. A Project Evaluation Factor (PEF) is used to justify the approval of projects. The PEF is based on an estimate as to the percentage of reduction in accidents due the proposed project. All costs (including design, utilities, and real estate) are included, regardless of whether or not HSIP funds will be used for all elements of the project.

The funding for all projects is 90% Federal and 10% Local. We discourage the use of HSIP funds for local design, real estate and utility costs. However, we will seek HSIP funding for Management Consultant and Region review activities. Funding caps are established for all new projects over \$200,000 and for all existing projects once they escalate to over \$200,000. These funding caps limited to 90% of the inflated total project cost cap amount. The Federal HSIP cap amount establishes that the local units of government will be responsible for the balance of the project costs.

Project Size Limit:

Projects over \$1,100,000 must have a companion project. The first \$1,100,000 of a project will be funded at a 90/10 ratios. Funding of these large projects will be shared as follows (if justified by the PEF):

	Program	Federal HSIP Funding
First \$1,100,000	HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP)	90%
Second \$1,100,000	Local Funds	0%
Balance of Project	Costs Shared Equally Between HSIP and Local Funds	45%

Project Eligibility:

HSIP projects are intended to employ relatively inexpensive countermeasures to correct hazardous situations. *This program will not fund sites with only "crash potential."*

- An intersection safety improvement (including installing/modifying traffic signals, roundabouts and channelization/turning radii improvements),
- Straightening isolated curves or hills,
- Improving sight distance,
- Access modifications,
- Constructing turning, bypass or other auxiliary lanes,
- An improvement for pedestrian or bicyclist safety or safety of the disabled where there are crashes,
- Construction of a traffic calming feature,
- Elimination of a roadside obstacle,
- Installation of a priority control system for emergency vehicles at signalized intersections,
- Installation of guardrails, barriers and crash attenuators, and
- Installation of signs, delineators, flashing warning lights at pedestrian-bicycle crossings, in school zones and other problem areas.

Sunset Provisions

The concept of the sunset provision is that an HSIP project will be deleted from the program and have to be re-justified if more that three years (or four years if right-of-way is needed) elapse between program approval and letting to contract. Space is reserved in the HSIP for these projects; but if they are no longer viable projects, they should be deleted from the system and new projects that can be implemented added to the program instead.

The intent of the sunset provision is not to delete viable projects, but rather, to avoid reserving dollars in the HSIP for projects that are not moving towards implementation. A project will lose its status if:

- There is no design action within two years of program approval; or,
- It is not let to contract within three years of program approval (four years if right-of-way is needed).

Project Submittals:

- Completed HSIP Project Application Form,
- General sketch of the project proposal,
- Site photos,
- Crash history as available (most current consecutive three years minimum) and an appropriate crash analysis; copies of all crash reports (MV4000) are to be provided to the WisDOT NE Region office. For emergency vehicle traffic signal pre-emption

- projects, all crash reports involving emergency vehicles at the site(s) over the past ten years are to be provided to the NE Region office;
- Collision diagrams,
 - Warrant documentation for all proposals to install new traffic signals or 4-way stop signs (forms DT1979 or DT1980, as appropriate),
 - Completed *Traffic Control Signal Approval Request* form (DT1199). Required for all proposals to install new traffic signals on the State Trunk Highway System, including Connecting Highways and ramp terminals; and,
 - PEF worksheets and printouts (completed by the NE Region office).

NOTE: A candidate project for installing new traffic signals *must have also analyzed* a roundabout as an alternative to signals and vice versa.

Four submittal packages for each project should be sent to the NE Region for processing. The NE Region will assemble/review the information, complete the PEF worksheet, and forward projects that meet the requirements to the HSIP Review Committee.

The HSIP Project Application Form, a sample collision diagram, the Traffic Signal Warrant Summary sheets (forms DT1979 and DT1980), the Traffic control Signal Approval Request form (DT1199), and the PEF worksheets are available upon request. Electronic copies are also available.

If your hazard elimination candidate project(s) is selected, it will be your responsibility to develop the plans and purchase/acquire any necessary right-of way or utilities. The standard procedures for Federal Aid Projects as contained in our Facilities Development Manual must be followed. Our Local Program Management Consultant will be available for guidance on those processes.

Please submit candidate projects to the NE Region, Attn: Anne Ebent or Scott Simmons, by **May 18, 2007** in order to be considered for the 2008-2009-2010-2011 program. If you have any questions, please feel free to contact me at (920) 492-5694 (e-mail anne.ebent@dot.state.wi.us) or Scott Simmons at (920) 492-2385 (e-mail scott.simmons@dot.state.wi.us).

Sincerely,



Anne M. Ebent
Six-Year Program Engineer

cc: Scott Nelson P.E., NE Region Traffic Safety Engineer
Scott Simmons P.E., NE Region Program Development Engineer
Colleen Harris P.E., NE Region Planning Supervisor
Dave Schmidt P.E., Local Program Project Manager